AGENDA
CITY COUNCIL STUDY SESSION
February 26, 2018
6:00 p.m.

City Hall Council Chambers

A copy of the full City Council packet is available to the public. The packet ring binder is located at the podium.

1. City Council Discussion of Agenda Items and Questions

2. Miscellaneous
   a. YEO 2018 Criminal Justice Reform and Community Reinvestment Policy Academy – Attendance request by Councilmember Graves

   b. Council iPad Demonstration and Selection

3. Discussion of Work Session Agenda Items as Time Permits

4. Adjourn

# Study Session Agenda Item No. 2

# MEMORANDUM – COUNCIL STUDY SESSION

DATE: Monday, February 26, 2018

TO: Curt Boganey, City Manager

FROM: Reggie Edwards, Deputy City Manager

SUBJECT: Electronic Agenda

**Recommendation:**
It is recommended that the City Council identify an iPad Pro size, case, electronic pencil and carry bag preference for the Council member's mobile device that is to be used for conducting Council business electronically.

**Background:**
On Monday, January 8, 2018, the Council received a presentation by staff regarding conducting City Council business electronically. The Council directed staff to:

- Move forward with NovusAgenda
- Purchase an iPad Pro for each Council member to use for conducting Council business electronically.

Staff will present the following options:

- iPad Pro sizes (12.9-inch or 10.5-inch)
- iPad Pro Case (Smart Keyboard or Smart Cover)
- iPad Pro Pencil (Yes or No)
- iPad Pro Carry Bag (Yes or No)

**Policy Issues:**

- Which iPad Pro size (i.e. 12.9-inch or 10.5-inch) does each Council member prefer?
- Which iPad case (i.e. Smart Keyboard or Smart Cover) does each Council member prefer?
- Does the Council member desire an electronic pen as part of the mobile device?
- Does the Council member desire a carry bag?

**Strategic Priorities:**

- Inclusive Community Engagement

**CITY COUNCIL MEETING**
City of Brooklyn Center
February 26, 2018

**AGENDA**

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1. **Informal Open Forum with City Council – 6:45 p.m.**
–provides an opportunity for the public to address the Council on items which are not on the agenda. Open Forum will be limited to 15 minutes, it is not televised, and it may not be used to make personal attacks, to air personality grievances, to make political endorsements, or for political campaign purposes. Council Members will not enter into a dialogue with citizens. Questions from the Council will be for clarification only. Open Forum will not be used as a time for problem solving or reacting to the comments made but, rather, for hearing the citizen for informational purposes only.

2. **Invocation – 7 p.m.**

3. **Call to Order Regular Business Meeting**
–The City Council requests that attendees turn off cell phones and pagers during the meeting. A copy of the full City Council packet is available to the public. The packet ring binder is located at the podium.

4. **Roll Call**

5. **Pledge of Allegiance**

6. **Approval of Agenda and Consent Agenda**
–The following items are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which event the item will be removed from the consent agenda and considered at the end of Council Consideration Items.

   a. Approval of Minutes
      1. January 22, 2018 – Study/Work Session
      2. January 22 2018 – Regular Session
      3. January 22, 2018 – Work Session

   b. Licenses

   c. Resolution Approving Plans and Specifications and Authorizing Advertisement for Bids, Improvement Project Nos. 2018-01, 02, 03 and 04, Firehouse Park Area Street and Utility Improvements

   d. Resolution Approving Plans and Specifications and Authorizing Advertisement for Bids, Improvement Project No. 2018-05, Brooklyn Boulevard Corridor Project Phase 1 and Improvement Project No 2018-06, 51st Avenue/Frontage Improvements

e. Resolution Authorizing Xcel Energy to Recover Cost of Undergrounding Brooklyn Boulevard Electric Transmission Facilities by a Surcharge to Brooklyn Center Xcel Ratepayers - Brooklyn Boulevard Corridor Project Phase 1, Project No. 2018-05

f. Resolution Establishing Permit Fee for Pole Attachment Permit and Revising Right-of-Way Permit Fee Schedule

g. Resolution Amending Policy 2.70, Street and Alley Lighting Policy

**7. Presentations/Proclamations/Recognitions/Donations**

–None.

**8. Public Hearings**

–None.

**9. Planning Commission Items**

–None.

**10. Council Consideration Items**

a. Consideration of Type IV 6-Month Provisional Rental Licenses

1. Victoria Townhouses, 6740-6861 Grimes Place

**Requested Council Action:**

–Mayor poll audience for applicants to address Council.
–Receive staff report.
–Motion to open hearing.
–Receive testimony from applicants.
–Motion to close hearing.
–Take action on rental license applications and mitigation plans.

**11. Council Report**

**12. Adjournment**

AGENDA
CITY OF BROOKLYN CENTER
CITY COUNCIL/ECONOMIC DEVELOPMENT AUTHORITY WORK SESSION
February 26, 2018
Immediately Following Regular City Council and EDA Meetings Which Start at 7:00 P.M.

City Hall Council Chambers

A copy of the full City Council packet is available to the public. The packet ring binder is located at the podium.

## ACTIVE DISCUSSION ITEMS

–None

## PENDING LIST FOR FUTURE WORK SESSIONS

**Later/Ongoing**

1. Naturally Occurring Affordable Housing Policy – March
2. City Council Code of Policies (10-9-17 Study Session Discussion)
   a. Section 2.70 Street and Alley Lighting Policy
   b. Section 2.93 Long-Term Deer Population Management Plan
3. Tobacco Purchase Age 21 (Brooklyn Youth Council) – June
4. Organic Composting and Native Bee Habitat (1-8-18 Study Session Discussion) – April

Residents of Gateway Commons
2850 Northway Dr.
Brooklyn Center, MN 55429

City Council of Brooklyn Center
6301 Shingle Creek Pkwy
Brooklyn Center, MN 55430

February 26, 2018

Dear Council Members,

We the residents of Gateway Commons have been receiving unacceptable treatment when it comes to available parking, increasing rent, and a lack of maintenance.

Although there was no notification or warning of potential rent increases on the lease, the cost of our rent has been raised without prior notification multiple times. If we do not pay the new rate, we are threatened with eviction. We were also promised parking, and have parking permits, but are being towed due to overcapacity of the lot. Because of this, we resort to parking on the street and receiving tickets. When our cars are towed we are charged an additional $148 for private towing on top of the standard towing fee of $98. Regardless of towing or being ticketed, we are forced to pay for parking that was already promised to us. Even after submitting maintenance requests, we do not receive the repairs in our living spaces. Which we are dealing with rats and roaches in our units. Gateway Commons recently passed your inspections, yet our units remain in unacceptable living conditions.

Therefore, we bring forth our complaints to you the elected officials to hold the property manager(s) accountable.

As residents, we would like to see improvements to the place we call home. We have the following concerns, and we would like to see a more inclusive process that involves us as residents in addressing them:

1. We would like for the property managers to see us as more than just tenants and keep better lines of communication with us. We would like to have onsite management representation to address our concerns in a timely manner, within the next 15 days.

2. We want Gateway Commons to reimburse us for unfairly charged rent and fees. We want to be notified prior to rent increases and want the lease to state that rent rates may change.

3. We want to be ensured parking space, and when the provided lot is full, for Gateway Commons to provide us with alternative parking spots at their expense.

4. We want management to be held accountable for providing maintenance that is in line with the city codes and is covered by rent payment (i.e., no additional charges for maintenance). City inspection should accurately reflect whether the apartments are not only up to code but are also in good, clean, and livable conditions. We need the city to enforce the code.

As your constituents, we would like to see the City Council of Brooklyn Center represent and safeguard our interests as residents first. The focus should not just be on unfairly charging, but on preserving and stabilizing the community first. As tax payers, we ask that you consider all these things as private entities continue to own and develop properties.

We look forward to continuing this discussion with you.

Sincerely,

Residents of Gateway Commons.

**Residents Signature**

| Name | Signature | Apt. # |
|---|---|---|
| Branagan Price | B Price | 2/23/18 |
| Ronke | | 2802 / 2078 |
| Luisa Diaz | Luisa Diaz | 2806 101 |
| Octavious Hney | | 2806 / 203 |
| Darlus Mubren Sr. | | 2806 Apt 201 |
| Amanuel Guyo | | 2806 / 302 |
| Donald Jones | | 2806 / 304 |
| Wehso Cooper | | |
| | | |
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# City Council Agenda Item No. 6a

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF BROOKLYN CENTER IN THE COUNTY
OF HENNEPIN AND THE STATE OF MINNESOTA

STUDY/WORK SESSION
JANUARY 22, 2018
CITY HALL – COUNCIL CHAMBERS

## CALL TO ORDER

The Brooklyn Center City Council met in Study Session called to order by Mayor Tim Willson at 6:00 p.m.

## ROLL CALL

Mayor Tim Willson and Councilmembers Marquita Butler (arrived at 6:25 p.m.), April Graves, Kris Lawrence-Anderson, and Dan Ryan. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, Director of Public Works Doran Cote, City Clerk Sharon Knutson, Interim Community Development Director Michael Ericson, Planner and Zoning Administrator Ginny McIntosh, Police Chief Tim Gannon, City Attorney Troy Gilchrist, and Carla Wirth, TimeSaver Off Site Secretarial, Inc.

## CITY COUNCIL DISCUSSION OF AGENDA ITEMS AND QUESTIONS

Councilmember Lawrence-Anderson requested discussion on Item 8b, Consideration of Liquor License Enforcement Action at Jammin Wings, 2590 Freeway Boulevard, particularly on Page 1, last sentence of the report reading: 'The City Code does provide for the mandatory revocation of liquor license for certain intentional violations but this violation does rise to that level.'

City Attorney Troy Gilchrist clarified it should indicate 'this violation does <u>not</u> rise to that level."

Councilmember Lawrence-Anderson stated she was not able to attend the last meeting but thoroughly read the minutes and is disappointed she missed the discussion on conducting City Council business electronically. She stated obviously, if this goes through, the i-Pad Pros would be City property and asked about the plan for replacing.

City Manager Curt Boganey explained all devices have a replacement schedule, usually three to five years, when the device reaches the end of its useful life. Mayor Willson noted in State service, the devices had three years and that was then changed to seven years.

## MISCELLANEOUS

None.

## DISCUSSION OF WORK SESSION AGENDA ITEMS AS TIME PERMITS

## SATURDAY MARKETPLACE (LENNIE CHISM)

City Manager Curt Boganey introduced the item and reviewed the City Council's past consideration. He explained that Mr. Lennie Chism met with staff several times over the last few years regarding a concept for creating opportunities to help local entrepreneurs grow and develop. In the late summer of 2017, Mr. Chism requested an application for a one-day administrative permit, which allows an open air market that would operate on the Brookdale Health facility site. The permit was never submitted for final approval and it may be that finding adequate parking was an impediment to completing the application. Subsequent to that, Mr. Chism had conversations with Councilmember Butler and others about his desire to come before the City Council to share his interest in having a Saturday market in Brooklyn Center and to seek financial support from the City to accomplish that.

Lennie Chism described his background, noting he came to Minnesota through his database administration position with Cargill. He reviewed conversations with Mr. Boganey about his interest in establishing an open air market on property that had good traffic patterns and adequate parking, which led him to more questions and receiving a comment from a Facebook friend who works at Brookdale Health about their site. Mr. Chism reviewed the high traffic levels that travel by this corner site on Brooklyn Boulevard and County Road 10 and stated he thinks an open air market is a great opportunity to showcase Brookdale Health as a community supporter. He noted that in 2000, 70% of the City's population was white and now it was 47%, which is a tremendous drop.

Mr. Chism addressed ownership of commercial property, which he believed is where resident economic stability is raised because when you get new residents, they need jobs and new opportunities so they can provide for themselves. He stated in Brooklyn Center, the largest employer is Medtronics, then Target and Cub Foods.

Mr. Chism stated one of the City's objectives is to increase the economic stability of its residents. He described the prosperity of Jerry Jones, owner of the Dallas Cowboys, who had come from a modest background. Mr. Chism stated his grandfather was a farmer so he also understands land use.

Mr. Chism explained he is looking for a space to create an incubator for small business within Brooklyn Center and is making the same pitch to the City of Minneapolis for a former Jerry's Food site. In Brooklyn Center, he would like to use the Brookdale Health site on Saturday, when it is closed, to generate income and stability and teach entrepreneurship. Mr. Chism talked about the success of AG Gaston, noting many entrepreneurs are not college graduates yet are very successful.

Mr. Chism stated he is interested in the Brookdale Health site because it has good traffic patterns, amenities, power, water, adequate parking, and visibility.

Mayor Willson stated in 2014, he was invited to New York City to talk about entrepreneurialism and startup companies. He noted that 60% of new jobs in New York City were start up and new businesses. Since then, Brooklyn Center has looked at how to start moving that forward as well.

Mr. Chism stated they will have to talk to Cub Foods again about overflow parking and also address security, trash collection, creating uniform tents, and food vendors or food trucks. He noted all are designed to generate income and repeat customers. In addition, they will train entrepreneurs in how to meet people and promote their business. He proposed the open air market be open May to October on the first Saturday, rain or shine, from 10 a.m. to 5 p.m.

Mr. Chism described other events he has been involved with and stated if funding can be received, they will have things like a 'jump house' to attract families with kids. He stated if this works out, it will become a landmark and entice people to come to Brooklyn Center to enjoy the community. He explained he does not want to charge vendors for the first six months so instead they can put their income back into their businesses and be in a better position to be successful.

Mr. Chism recapped his plans to transform the Brookdale Health parking lot into an open air market with public restrooms, emergency response, garbage and recycling, eating area, food preparation and clean up areas, tents, chairs and tables, storage, electricity and water for freezers, and extra space, if possible, to hold workshops/product demonstrations, and children's play area. Mr. Chism asked the City to provide $25,000 to be a Title Sponsor in this community investment.

Mayor Willson asked who will be on site during the events and who will provide security. Mr. Chism stated he will be on site for each event and the security will be provided by Derek Fischer who is licensed and bonded. If approved, the Minneapolis street market would be on the second Saturday of the month.

Mayor Willson asked who would do the setup for this event. Mr. Chism stated they would like to purchase the pop-up tents instead of renting them and the tents would be staked for wind.

Mayor Willson stated if people are there on a Saturday, once a month during the summer, that's only five or six times. He asked what is the path then for entrepreneurialism. Mr. Chism stated they will have to look at whether they want to build on the market platform or consider brick and mortar, which is a bigger risk. He explained they hope to help them build a customer base by asking questions of their customers so they start to build a relationship.

Councilmember Butler arrived at 6:25 p.m.

Mayor Willson stated the City has been working on an entrepreneurial strategy with the developer of The Crossings, for a semi-permanent building structure for more than just a Saturday. It would be an incubator the City would help support, along with the developer. Mayor Willson stated he favors that opportunity because it is more permanent than a one Saturday a month open air market. He stated eventually the City will need someone to manage that type of system through a new hire, which may come up this spring. He stated he does not want to duplicate that effort or spend City dollars on something the City will not support long term.

Councilmember Ryan stated he can appreciate how the traffic counts at the Brookdale Health site attract Mr. Chism for this use but his concern with this busy corner is that there is only one point of access off Bass Lake Road. He asked if that is adequate and stated it is his perception the existing businesses generate low traffic flow so he would like that addressed.

Mayor Willson noted Mr. Chism indicated he has an agreement with Cub Foods to use their parking lot, which would provide a lot of other access points. Mr. Chism stated they would barricade the Bass Lake Road access during the event.

Councilmember Ryan asked how potential legal liability would be addressed if the City became a Principal Sponsor. Mr. Chism stated they would have event insurance for every event. Mayor Willson stated the City will be held harmless as it is only providing a sponsorship for the tents. Mr. Chism stated the tents and working capital (security, garbage service). He explained the biggest thing he wants is to provide encouragement to take the risk so these new residents become part of the community even though they don't own commercial property.

Mayor Willson noted Brooklyn Center does have some farmer market sites that operate through the summer, including one at Sun Foods.

Councilmember Graves asked how many vendors were interested last year. Mr. Chism stated 15 vendors were interested and will be used as a springboard this year. Councilmember Graves asked how many were interested but the cost was an issue. Mr. Chism stated he did not track those types of calls but $125 may be too much for some.

Councilmember Graves asked whether starting an open air market could be a natural connection to the City's initiatives. Mr. Chism answered in the affirmative and stated if the City hires staff for business development, he would hope to work closely with those individuals. Councilmember Graves stated she would be interested in getting more information on the strategy in how these events would directly connect into the City's initiative as well as a budget in how the sponsorship money would be used.

Mayor Willson stated the City Council will need to discuss whether and how a sponsorship could be considered. He asked what entrepreneurs would be on site beyond the food trucks. Mr. Chism stated they will want a mix of vendors without oversaturating any, noting some are buyers and resellers and others are creators and sellers.

Mayor Willson stated the City Council will need to see a business plan if any City monies are involved. In addition, the City Council will need to determine how to promote this effort with The Crossings so it results in starting new businesses.

Mr. Boganey stated ideally, if the City supported this effort, it would be a feeder for The Crossings but one may not necessarily be tied to the other.

**ADJOURN STUDY SESSION TO INFORMAL OPEN FORUM WITH CITY COUNCIL**

Councilmember Graves moved and Councilmember Butler seconded to close the Study Session at 6:45 p.m.

Motion passed unanimously.

## RECONVENE STUDY SESSION

Councilmember Lawrence-Anderson moved and Councilmember Graves seconded to reconvene the Study Session at 6:46 p.m.

Motion passed unanimously.

## SATURDAY MARKETPLACE (LENNIE CHISM) - continued

Mr. Chism stated there is no failure in trying and he hopes people will learn and that the City will be participatory in giving its entrepreneurs this opportunity.

Mayor Willson stated for a few years he has been considering how to get an incubator going to promote new businesses, and especially with the diversity the City now has. He agreed it is difficult for a new business to purchase a building, which then has a high rate of failure. He stated the City Council is not ready to move forward at this point but he believes the City Council is willing to explore it further.

Councilmember Lawrence-Anderson described her employment with an entrepreneur who built a successful business and stated she supports further consideration of this effort.

Councilmember Butler stated she also supports further consideration and thinks it would be great if the two ideas can collaborate.

Mr. Boganey stated the City Council has voiced consensus that this proposal is consistent with the goals it has established, noting this and The Crossings effort do not need to be connected at this point. He stated if the City Council is inclined to consider Mr. Chism's proposal, he would suggest staff work with Mr. Chism to review the proforma and conduct a detailed analysis for presentation of specific options and response at a future Work Session.

Councilmember Ryan stated he has definite interest in this exciting concept and would like to see a business plan, vendor fee structure, and detailed analysis. He asked if the Chamber of Commerce or larger businesses, such as Medtronic, have been approached for sponsorship as they may find this an advantageous public service gesture. Mr. Chism stated in the past, he has talked with large corporations so he is familiar with that process but this concept is to find a Title Sponsor before looking for additional sponsors.

Councilmember Ryan stated he knows someone who has an event operation, Victory Tent, that provides different sizes of tents and he would be willing to share the name of that contact.

Mayor Willson encouraged Mr. Chism to contact Mr. Boganey to discuss the next steps as well as the City Attorney's office to address the financial request.

Councilmember Graves thanked Mr. Chism for his patience in scheduling tonight's presentation. She suggested that Brooklyn Center residents be considered when selecting vendors and asked if he has contacted a similar group in North Minneapolis. Mr. Chism stated he is familiar with that group and explained that each plays a unique role with their unique clientele so each can be an asset since the vendors need to understand the dynamics of what it means to 'skill up.'

It was the majority consensus of the City Council to support the suggestion of Mr. Boganey that staff work with Mr. Chism, review the proforma, and conduct a detailed analysis for presentation of specific options and response at a future Work Session.

## ADJOURNMENT

Mayor Councilmember Ryan moved and Councilmember Graves seconded to close the Study Session at 6:59 p.m.

Motion passed unanimously

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF BROOKLYN CENTER IN THE COUNTY
OF HENNEPIN AND THE STATE OF MINNESOTA

REGULAR SESSION
JANUARY 22, 2018
CITY HALL – COUNCIL CHAMBERS

## 1. INFORMAL OPEN FORUM WITH CITY COUNCIL

CALL TO ORDER INFORMAL OPEN FORUM

The Brooklyn Center City Council met in Informal Open Forum called to order by Mayor Tim Willson at 6:45 p.m.

ROLL CALL

Mayor Tim Willson and Councilmembers Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, Director of Public Works Doran Cote, Interim Community Development Director Michael Ericson, Planner and Zoning Administrator Ginny McIntosh, Police Chief Tim Gannon, City Attorney Troy Gilchrist, and Carla Wirth, TimeSaver Off Site Secretarial, Inc.

Mayor Tim Willson opened the meeting for the purpose of Informal Open Forum.

No one wished to address the City Council.

Councilmember Ryan moved and Councilmember Butler seconded to close the Informal Open Forum at 6:45 p.m.

Motion passed unanimously.

## 2. INVOCATION

Councilmember Butler read a Martin Luther King quote as the Invocation.

## 3. CALL TO ORDER REGULAR BUSINESS MEETING

The Brooklyn Center City Council met in Regular Session called to order by Mayor Tim Willson at 7:00 p.m.

## 4. ROLL CALL

Mayor Tim Willson and Councilmembers Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, Interim Community Development Director Michael Ericson, Planner and

Zoning Administrator Ginny McIntosh, Police Chief Tim Gannon, City Clerk Sharon Knutson, City Attorney Troy Gilchrist, and Carla Wirth, TimeSaver Off Site Secretarial, Inc.

## 5. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

## 6. APPROVAL OF AGENDA AND CONSENT AGENDA

Councilmember Ryan moved and Councilmember Graves seconded to approve the Agenda and Consent Agenda, and the following consent items were approved:

### 6a. APPROVAL OF MINUTES

1. January 8, 2018 – Study/Work Session
2. January 8, 2018 – Regular Session
3. January 8, 2018 – Work Session

### 6b. LICENSES

**GASOLINE SERVICE STATION**

| | |
|---|---|
| Boulevard Enterprise, Inc.<br>Dba: Christy's Auto Service | 5300 Dupont Avenue N. |

**MECHANICAL**

| | |
|---|---|
| H2O Control, Inc. | 10499 West River Road, Brooklyn Park |
| Minneapolis/St. Paul Mechanical | 1711 120th Lane NE, Blaine |

**RENTAL**

*INITIAL (TYPE II – two-year license)*

| | |
|---|---|
| 4201 Lakeside Avenue #311 | Sagal Mohamad |

*RENEWAL (TYPE III – one-year license)*

| | |
|---|---|
| The Avenue Apartments<br>6331 Beard Avenue N. | CCF1 Holdings LLC |
| 2113 55th Avenue N. | Invitation Homes LLC |
| 6425 Fremont Avenue N. | Troy Jones |
| 5550 Girard Avenue N. | Restart, Inc. |
| 7110 Riverdale Road | James Nelson/ACR Homes |

*RENEWAL (TYPE II – two-year license)*

| | |
|---|---|
| 3808 61st Avenue N. | Adedamola Ogundipe |
| 4118 Woodbine Lane | Ron & Jeanette Blasewitz |
| 6649 Xerxes Place N. | Lane Schwartz |

*RENEWAL (TYPE I – three-year license)*

| | |
|---|---|
| 6821 Noble Avenue N. | Reuben & Diane Ristrom |

| | |
|---|---|
| 2900 67th Lane N. | Dolores Ann Fischer |
| 2919 68th Lane N. | Ken LeFevre |
| 1600 71st Avenue N. | RHA 3, LLC |
| 7218 Grimes Avenue N. | Shawn & Djuana Banks |

**SIGNHANGER**

| | |
|---|---|
| Electro Signs and Design, LLC | 1680 99th Lane NE, Suite C, Blaine |
| Sign Maintenance Lighting & Electrical, Inc. | 700 Tower Drive, Medina |

**TOBACCO RELATED PRODUCT**

| | |
|---|---|
| Royal Tobacco | 5625 Xerxes Avenue N. |

**6c. RESOLUTION NO. 2018-24 APPROVING AGREEMENT BETWEEN DEPARTMENT OF TRANSPORTATION AND THE CITY OF BROOKLYN CENTER FOR FEDERAL PARTICIPATION IN CONSTRUCTION – AGENCY AGREEMENT NO. 1029924**

**6d. RESOLUTION NO. 2018-25 AUTHORIZING THE ACQUISITION OF A TAX FORFEITED PARCEL AS PART OF THE BROOKLYN BOULEVARD CORRIDOR PROJECT PHASE 1**

**6e. AN ORDINANCE AMENDING CHAPTER 35 OF THE CITY CODE OF ORDINANCES REGARDING THE ZONING CLASSIFICATION OF CERTAIN LAND GENERALLY LOCATED IN THE NORTHWEST SECTION OF THE CITY, GENERALLY SITUATED BETWEEN HIGHWAY 94 TO THE SOUTH, 68TH AVENUE NORTH TO THE NORTH, BROOKLYN BOULEVARD TO THE EAST, AND NOBLE LANE TO THE WEST, AND LOCALLY IDENTIFIED AS 4435 68TH AVENUE NORTH AND 4321 68TH AVENUE NORTH, RESPECTIVELY –MOTION TO APPROVE FIRST READING OF ORDINANCE AND SET SECOND READING AND PUBLIC HEARING FOR FEBRUARY 12, 2018.**

Motion passed unanimously.

## 7. PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS/DONATIONS

- None.

## 8. PUBLIC HEARINGS

### 8a. ORDINANCE NO. 2018-01 VACATING A PORTION OF RIGHT-OF-WAY: LILAC DRIVE NORTH

Director of Public Works Doran Cote introduced the item, discussed the history, and stated the purpose of the proposed ordinance to vacate a portion of right-of-way on Lilac Drive North. He noted the City owns a fee interest in certain lands originally acquired for highway purposes, all

of which are located adjacent to Lilac Drive North. The subject area for vacation was formerly used for a section of roadway that is being removed as part of the Brooklyn Boulevard Corridor Project Phase 1. This vacated area would be used to mitigate the loss of parking on the Brookdale Covenant Church property due to the installation of a new signal at Highway 100 south ramp and the extension of Lilac Drive North.

Mr. Cote described the land exchange agreement and explained the property owner will be required to dedicate a drainage and utility easement over the vacated portion of the right-of-way to maintain access to the existing utilities within the vacated area. He noted this item was first read on December 11, 2017, published in the official newspaper on December 21, 2017, and offered this evening for Public Hearing and adoption of the ordinance.

Councilmember Ryan moved and Councilmember Butler seconded to open the Public Hearing.

Motion passed unanimously.

No one appeared to address this item.

Councilmember Ryan moved and Councilmember Lawrence-Anderson seconded to close the Public Hearing.

Motion passed unanimously.

Councilmember Graves moved and Councilmember Ryan seconded to adopt ORDINANCE NO. 2018-01 Vacating a Portion of Right-of-Way: Lilac Drive North.

Motion passed unanimously.

## 8b. CONSIDERATION OF LIQUOR LICENSE ENFORCEMENT ACTION AT JAMMIN WINGS, 2590 FREEWAY BOULEVARD

City Clerk Sharon Knutson introduced the item and stated the purpose of this agenda item to consider liquor license enforcement action at Jammin Wings, 2590 Freeway Boulevard. She presented history of this consideration, explaining that on November 27, 2017, Mr. Brown, owner of Jammin Wings, submitted a renewal application and fee for a State and City intoxicating liquor license and Sunday liquor license, as well as the City application for an optional 2 a.m. liquor license. On December 11, 2017, the City Council approved the issuance of these liquor licenses. On or about December 19, 2017, while preparing the licenses for issuance, she checked with the State of Minnesota Department of Alcohol and Gambling Enforcement Division website to make sure the 2 a.m. permit was active and discovered it had expired on August 1, 2017. Ms. Knutson stated she then contacted the Alcohol and Gambling Enforcement Division to confirm and they affirmed it had not been submitted as of that date.

Ms. Knutson stated she informed the City Manager and then Mr. Brown that the permit had lapsed so the City could not issue a liquor license until that permit had been approved by the State. Mr. Brown informed her that he had not received that application from the State and was

unaware it was not active at the time. Mr. Brown then took immediate action to renew the 2 a.m. permit with the State, which she confirmed with the State, and then issued that license.

Ms. Knutson stated on January 8, 2018, she received an email notification from the State AGED and learned the check submitted by Mr. Brown was NSF for a closed account so, therefore, the permit was not valid. In consulting with the City Manager and City Attorney, it was agreed a violation of Minnesota Statutes, Section 340A.504, subdivision 7, had occurred. Ms. Knutson noted the City Attorney has drafted a memorandum, which was provided in the meeting packet, to outline the enforcement action options that can be considered by the City Council following the Public Hearing.

Councilmember Lawrence-Anderson moved and Councilmember Graves seconded to open the Public Hearing.

Motion passed unanimously.

Mr. Brown explained that in the past, he got a package from the City to pay for the license and did not realize the State permit for optional 2 a.m. was due on August 1st. However, as the City Clerk stated, his account was closed. He said it was tampered with so the bank closed the account. He paid for the State permit, but the State took longer to go forward with the check and the account was closed by the bank on January 2, 2018. He stated he thought the State's check had cleared but it did not. Mr. Brown stated he paid the check to the State as well as the bounced check fee.

Mayor Willson explained that any time there is a violation, the City has to address it and it does not matter when it occurred, but that a violation did occur. So tonight, the City will hold the public hearing and obtain advice from staff as well as the City Attorney.

Mr. Brown stated he would like a 4 a.m. license during the upcoming Super Bowl. Mayor Willson referenced the memorandum that contained the request for the 4 a.m. license, which is a different issue than what is under consideration at this time.

Mr. Boganey asked questions of Mr. Brown to determine the dates the checks were written and when the account was closed. He recounted that the check was written on December 19, 2017, the State contacted the City on January 8, 2018, and the account closed on January 2, 2018. He asked if on December 19, 2017, when the check was written to the State there were sufficient funds on that date. Mr. Brown answered in the affirmative.

Councilmember Graves moved and Councilmember Butler seconded to close the Public Hearing.

Motion passed unanimously.

City Attorney Troy Gilchrist clarified that on Page 1 of his memorandum, last sentence, it should indicate: "This violation does <u>not</u> rise to that level." He described the range of options before the City Council for a liquor license violation, noting this does not trigger mandatory revocation but ranges from no penalty at all, a civil penalty up to $2,000, and/or suspension of the liquor license

for no greater than 60 days. He noted with each option, there is flexibility including a limited suspension or imposition of a penalty with suspension of a portion conditioned on not having another violation. Mr. Gilchrist stated the civil penalty can be in addition to suspension or revocation. He noted the violation was focused on serving after 1 a.m. without the appropriate permit.

Mayor Willson pointed out if the 2 a.m. permit is suspended, then the 4 a.m. permit cannot go forward. He asked about imposing an administration fee to cover staff time and expenses, such as is imposed with rental licenses, as well as a civil penalty so the violation is documented. Mayor Willson stated the City does not want to see any more violations but if one should occur, this will provide documentation to take stronger action. Mr. Gilchrist advised if the City Council is inclined to consider a suspension or revocation, he would recommend directing staff to prepare a resolution for consideration at the next meeting.

Councilmember Graves stated the City has been working with this business on other issues and the City Council has considered its liquor licenses, seating, and other requirements as well. She stated she enjoys going to Jammin Wings and likes that it is open until 2 a.m., noting it is one of the only Black-owned businesses in the City. But that being said, Councilmember Graves wanted to assure the rules are followed so Jammin Wings can stay there. She stated she supports imposing a civil penalty of up to $2,000 and suspending it conditioned on there being no further violations.

Mr. Brown pointed out that in the four and a half years he has been in business, there has been only one violation, which not many bars or restaurants can say.

Mayor Willson stated the City needs to be consistent with enforcing its ordinances across the board. He offered the option to consider a $1,000 civil penalty plus $300 administrative fee to cover staff time and suspend the civil penalty. He noted this would be similar to a rental ordinance violation where an administration fee is charged. Mr. Boganey stated it would probably need to be a $1,300 civil penalty and suspending $1,000. He indicated the notion of $300 being the amount to account for staff time may not be an unreasonable assessment of cost when considering his time, and the City Attorney's and City Clerk's time in dealing with this issue over the past several weeks.

Mayor Willson stated he would like to consider an administrative fee. Mr. Boganey asked whether the ordinance provides for an administrative fee penalty. Mr. Gilchrist agreed with Mr. Boganey that the penalty would need to be cast as a civil penalty, noting the City's cost at $300 is modest but would be partial reimbursement.

Councilmember Lawrence-Anderson stated that is less than she was thinking to impose but is willing to consider that level. She suggested the resolution cite that no further violations shall occur, noting the City wants to make sure the new liquor establishments it is trying to attract know they are required to follow the rules.

Mayor Willson clarified the discussion was to suspend $1,000 of the civil penalty unless another violation were to occur. In that case, the $1,000 civil penalty would be imposed.

Councilmember Ryan noted that testimony from Mr. Brown indicates there was no intentional negligence. He asked how it operates with the State when there is a glitch in the payment and whether there is no communication from the State to the license holder of the need to cure the situation. Ms. Knutson described the permitting and licensing procedure, explaining that with the 2 a.m. license, the State of Minnesota Alcohol and Enforcement Division authorizes the City to issue the liquor license. The State issues a permit for one year from whenever the applicant applies and the City issues its license the calendar year from January 1 to December 31. Ms. Knutson explained the State does not notify the City that someone did not renew their permit and from August 1 to December 19, Jammin Wings did not have permission from the Commissioner of Public Safety to operate until 2 a.m. She stated this is the first time this situation has occurred, and Mr. Brown indicated he did not get anything from the State to say he needed to renew his permit.

Mr. Boganey explained the State timeframe is based on when the business owner makes application for their first permit. Up to this year, Jammin Wings always renewed the State permit but there was a change in the management structure of the business and that did not happen.

Councilmember Ryan stated while it is the owner's responsibility, it is an example of a mistake and they need to be held responsible but not in a punitive manner. He stated his support to consider a civil penalty with the greater part suspended unless subsequent violations occur.

Mr. Gilchrist asked for a sense of duration for the subsequent violations. Mayor Willson stated the license will be renewed December 31 so the suspension could be through the license period. The City Council agreed with the logic to tie the violation term to the license term.

Councilmember Ryan moved and Councilmember Graves seconded to direct staff to prepare a resolution to impose a $1,300 civil penalty, suspending $1,000, contingent upon no further liquor license violations.

Motion passed unanimously.

Councilmember Graves stated support to consider Jammin Wings' request for a 4 a.m. liquor license.

Mayor Willson asked staff if there is an underlying issue to not consider that request. Mr. Boganey stated he has no new information but in a previous memo discussing the optional 2 a.m. liquor license elimination, it was indicated that a significant number of violations and police calls occur after 1 a.m.

Mayor Willson pointed out that another violation would go against the license.

Mr. Brown noted it is only for a short period of time, during the Super Bowl, and they will increase security during that time.

Police Chief Tim Gannon stated there are a select number of days and at this time, he would not oppose this request.

Mr. Boganey indicated under the City's ordinance, staff has the authority to issue this permit if it is not opposed by the City Council.

The consensus of the City Council was to support the administrative issuance of a 4 a.m. liquor license to Jammin Wings during the Super Bowl.

## 9. PLANNING COMMISSION ITEMS

- None.

## 10. COUNCIL CONSIDERATION ITEMS

## 10a. CONSIDERATION OF TYPE IV 6-MONTH PROVISIONAL RENTAL LICENSES

Mayor Willson explained the streamlined process that will now be used to consider Type IV 6-Month Provisional Rental Licenses.

Mayor Willson polled the audience and asked whether anyone was in attendance to provide testimony on any of the rental licenses as listed on tonight's meeting agenda. Seeing no one coming forward, Mayor Willson called for a motion on Agenda Items 10a1 through 10a6.

**10a1. 4200 JOYCE LANE**
**10a2. 6325 KYLE AVENUE N.**
**10a3. 6424 SCOTT AVENUE N.**
**10a4. RESOLUTION NO. 2018-26 APPROVING A TYPE IV 6-MONTH PROVISIONAL RENTAL LICENSE FOR 4450 58TH AVENUE N.**
**10a5. RESOLUTION NO. 2018-27 APPROVING A TYPE IV 6-MONTH PROVISIONAL RENTAL LICENSE FOR 6015 ALDRICH AVENUE N.**
**10a6. RESOLUTION NO. 2018-28 APPROVING A TYPE IV 6-MONTH PROVISIONAL RENTAL LICENSE FOR 6718 COLFAX AVENUE N.**

Councilmember Ryan moved and Councilmember Graves seconded to approve the issuance of a Type IV six-month provisional rental license and mitigation plan for the following: 4200 Joyce Lane, 6325 Kyle Avenue N., 6424 Scott Avenue N., and, adopt Resolution No. 2018-26 Approving a Type IV 6-Month Provisional Rental License for 4450 58th Avenue N.; Resolution No. 2018-27 Approving a Type IV 6-Month Provisional Rental License for 6015 Aldrich Avenue N.; and, Resolution No. 2018-28 Approving a Type IV 6-Month Provisional Rental License for 6718 Colfax Avenue N., with the requirement that the mitigation plans and all applicable ordinances must be strictly adhered to before renewal licenses would be considered.

Motion passed unanimously.

## 10b. AMEND CITY COUNCIL MEETING SCHEDULE TO ADD CITY COUNCIL WORK SESSION TO REVIEW DEVELOPMENT PROPOSALS FOR THE OPPORTUNITY SITE

It was noted the purpose of this agenda item is for the City Council to consider amending its meeting schedule to add a Work Session on Tuesday, February 20, 2018, starting at 5 p.m., to receive and review developer proposals for the South Opportunity Site between John Martin Drive and Bass Lake Road.

Councilmember Ryan moved and Councilmember Lawrence-Anderson seconded to amend the City Council meeting schedule to add a City Council Work Session on February 20, 2018, starting at 5 p.m., to review development proposals for the Opportunity Site.

Motion passed unanimously.

## 11. COUNCIL REPORT

Councilmember Ryan reported on his attendance at the following and provided information on the following upcoming events:

- January 11, 2018: North Hennepin Area Chamber of Commerce State of the Cities Luncheon
- January 18, 2018: Highway 252 PAC Planning Meeting
- January 18, 2018: Brooklyn Center Lions Club Board Meeting
- January 23, 2018: MAC Meeting
- January 26, 2018: League of Minnesota Cities Experience Cities Conference
- January 27, 2018: Annual Legislature and Local Officials Breakfast Meeting
- March 11-13, 2018: Attending National League of Cities Congressional Conference in Washington, D.C., to address Blue Line federal funding to ensure obstacles at the federal level do not go unaddressed

Councilmember Lawrence-Anderson provided information on the following upcoming events:

- January 23, 2018: MAC meeting

Councilmember Graves reported on her attendance at the following and provided information on the following upcoming events:

- January 11, 2018: North Hennepin Area Chamber of Commerce State of the Cities Luncheon
- January 16, 2018: Community Activity Services Meeting
- January 18, 2018: Martin Luther King Jr. Celebration
- January 26-27, 2018: Minnesota League of Cities Events

Councilmember Butler reported on her attendance at the following and provided information on the following upcoming events:

- January 12, 2018: Spoke with Mr. Chism about his Open Market Concept
- January 18, 2018: Martin Luther King Breakfast
- January 23, 2018: MAC Meeting
- January 26, 2018: Resident Meeting

Mayor Willson reported on his attendance at the following and provided information on the following upcoming events:

- January 9, 2018: CCX Mayor's Minutes
- January 11, 2018: Presented State of the Cities Address at the North Hennepin Area Chamber of Commerce Luncheon
- January 11, 2018: Blue Line CMC Meeting
- January 12, 2018: Met with Mr. Boganey
- January 16, 2018: Rotary Meeting Luncheon
- January 16, 2018: West Fire Station Relief Association Board Meeting
- January 17, 2018: Chaired the Brooklyn Bridge Alliance for Youth Meeting
- January 17, 2018: North Metro Mayors Association Meeting
- January 18, 2018: PAC 252 Meeting
- January 19, 2018: Met with Mr. Boganey
- January 19, 2018: Phone Interview about the Blue Line

## 12. ADJOURNMENT

Councilmember Graves moved and Councilmember Lawrence-Anderson seconded adjournment of the City Council meeting at 7:54 p.m.

Motion passed unanimously.

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL/ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF BROOKLYN CENTER IN THE COUNTY OF HENNEPIN AND THE STATE OF MINNESOTA

WORK SESSION
JANUARY 22, 2018
CITY HALL – COUNCIL CHAMBERS

## CALL TO ORDER

The Brooklyn Center City Council/Economic Development Authority (EDA) met in Work Session called to order by Mayor/President Tim Willson at 7:59 p.m.

## ROLL CALL

Mayor/President Tim Willson and Councilmembers/Commissioners Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan. City Manager Curt Boganey, Deputy City Manager Reggie Edwards, Director of Public Works Doran Cote, Police Chief Tim Gannon, City Attorney Troy Gilchrist, and Carla Wirth, TimeSaver Off Site Secretarial, Inc.

## OVERNIGHT PARKING

Police Chief Tim Gannnon introduced the item and explained staff is seeking direction pertaining to on-street parking and the duration vehicles are allowed to be parked on public streets. He provided a PowerPoint presentation detailing State Statute parking enforcement, City Ordinance relating to parking enforcement, variety of channels for parking complaints, number of parking complaint calls from 2013 (1,386) to 2018 (1,175), total parking citations issued from 2013 (996) to 2017 (3,191), average number of parking citations by month from 2013 to 2017, process to receive a parking exception permit, areas of parking ban, neighboring city's consecutive time limits, challenges and benefits of year-around overnight parking, and feedback from Building and Community Standards and Public Works.

It was noted the City restricts parking on any public right-of-way to six hours or less. The City also prohibits all on-street parking from 2 a.m. to 6 a.m. year-around. All street parking enforcement is conducted by the Police Department and the complaints from citizens are consistently worded that if the City has an ordinance for overnight parking, then it needs to enforce the ordinance.

Chief Gannon presented ordinance proposal Option 1 to make no change to the ordinance including police enforcement. He stated police enforcement occurs during the time when the fewest number of staff are on duty, it is highly likely that vehicles will not be tagged nightly, enforcement is focused on high complaint areas only (which is inequitable at best), and this option will facilitate continued sporadic complaints and criticism of City staff by citizens.

Chief Gannon then presented ordinance proposal Option 2 to make no change in the ordinance

but enhance enforcement with additional non-sworn staff being added during enforcement hours. He noted, however, the Department has more than doubled citations this year as compared to last year yet complaints are high; there has not been a difference seen in violations or complaints; one citation is $46 (not a significant dollar amount); and, the Department forecasts a 30% increase in citations with additional staff, but that number may not be sustainable.

Councilmember/Commissioner Graves asked why the court gets part of the citation. Chief Gannon explained that parking citations are processed through the court system. Mayor/President Willson stated eventually if you are called into court for a moving violation, they will follow up on the parking violations if there are a lot of them.

Councilmember/Commissioner Ryan stated the only complaints he has received is about not enforcing the ordinance as people don't like to see cars parked on the street but he appreciates staff raising the equity issues as the City is not the same as it was years ago. Chief Gannon agreed the law should be enforced, noting it also involves an issue of community aesthetics.

Councilmember/Commissioner Ryan stated with streets that are not very wide, he gets complaints when vehicles are parked overnight. He stated if there are parking restrictions, some streets should be posted for no parking. Chief Gannon stated other areas of complaint are near apartment complexes.

Chief Gannon stated ordinance proposal Option 3 is to make seasonal restrictions for no parking from 2-6 a.m. from November 1 through April 1. There would be no on-street parking during any snow event of 2.5 inches or more until the roads are plowed curb-to-curb; no on-street parking for more than 12 continuous hours; a change to seasonal enforcement with a snow event clause would satisfy the Police Department, Public Works, and Building and Community Standards; allow the City to provide the best service to its citizens; and, towing vehicles during snow events would be more logical and justifiable. He stated the ordinance contains parking restrictions in four different sections and he would suggest consolidating that into one common area. Chief Gannon reviewed the benefits with Option 3 to reduce parking enforcement demand for officers, non-sworn Community Service Officers (CSOs), support services, and County dispatch personnel; reduce parking on grass complaints; and, be an efficient use of resources.

Chief Gannon stated he lives in Blaine where there are seasonal parking restrictions so when his daughter has sleep overs, her friends cannot park on the street.

Councilmember/Commissioner Butler stated she looks at this in two different ways. She stated while living with her parents and six siblings on Emerson, and with many cars, she received some tickets. But now as a home owner, she would not want to see a lot of cars parked on the street due to the image it creates. Also, she is sympathetic to people who live in apartments as some are only allotted one space in the parking lot so the other has to park elsewhere, which can cause violations. Councilmember/Commissioner Butler stated she also supports a change so the snowplows can get through and not have to divert around parked cars.

Councilmember/Commissioner Graves stated she would be interested to see a map noting the location where the majority of the complaints are received, whether close to apartment buildings. She stated she is concerned that certain people receive more citations, such as multigenerational families within one home. Councilmember/Commissioner Graves stated when talking about resident economic stability, she would lean more towards Option 3 as it would address some of the issues. She stated as the City continues to grow, she is concerned with the number of parking spaces being available. Councilmember/Commissioner Graves stated the complaint she hears is that the City needs to enforce its ordinances and she felt some complaints are not being called in or it's an ongoing thing they do all the time.

Councilmember/Commissioner Lawrence-Anderson stated support of Option 3 because if the City cannot enforce the existing ordinance adequately and equitably, then it needs to change. She likes the November 1-April 1 timeframe, 2.5-inch snowfall, and the twelve hours as there may be a family event like a sleep over. In addition, it will save time for the CSOs.

Councilmember/Commissioner Graves felt generating a complaint map would be helpful before discussing areas of parking restrictions.

Councilmember/Commissioner Ryan stated there are other ways the City Council/EDA addresses equity issues, noting driving is a privilege and there are a range of considerations with parking. He agreed the City needs clear authority to tow a car in the event of a 2.5-inch snow. He recounted the calls of complaint he receives are that people don't want to see cars parked on their street so if your apartment comes with only one parking space and you have more than one vehicle, then you need to find a different apartment. Councilmember/Commissioner Ryan stated if Option 3 is considered, his only concern is whether the majority of homeowners would not like it because residents speak in favor of the current parking restrictions as they don't like cars parked on the street. He stated support for Option 2 with clear authority to tow cars during snow events.

Councilmember/Commissioner Lawrence-Anderson stated the City already has that authority. She supported more signage and stated she does not think the City will see a dramatic influx of people parking on the street so she supports Option 3 with the towing provision.

Mayor/President Willson stated no matter the change, the City will receive complaints. He stated he has received two parking violations and paid them both. He stated Brooklyn Center is known for having its streets plowed in a timely manner, so if there is an ordinance change, the City needs to make sure that is clearly communicated and how towing is handled. He stated in bigger cities, they just tow the cars and then residents are upset.

Mayor/President Willson stated if parking on both sides of the street is allowed, fire trucks still need access to pass through, and that type of parking restriction can be delegated to the Advisory Traffic Committee for review and recommendation. He noted in 2017, there was a 2,000 increase in citations issued yet he is not hearing from residents about being tagged. Instead, he hears residents support to enforce the ordinance. Mayor/President Willson stated if all cars are being tagged for overnight parking, then 4 hours is not long enough so maybe there should be a

12-hour window instead of a 6-hour window. Also, if additional CSOs are needed, the City Council/EDA needs to consider that budget item.

Mayor/President Willson stated support for Option 3 as long as emergency vehicles have access and there is a towing policy. He stated residents will need to be informed about any changes made, noting the final cost for an impounded car is much higher than $46. Chief Gannon stated the parking restriction begins before snow falls so vehicle owners will know they are parking in violation. He suggested using the term 'snow event' instead of 'snow emergency' and agreed there will need to be an educational process. Mayor/President Willson concurred and stated he also does not agree with declaring a snow emergency. He again stated support to consider Option 3 with ordinance changes, where needed.

Councilmember/Commissioner Ryan noted should the City remove the parking restriction, there will be a lot of cars parked on the street with many angry residents. He recalled seeing many cars parked at one property, not all on pavement, because of space restriction. He stated this gets to the number of bread winners that need to be in a home to afford the mortgage. Councilmember/Commissioner Ryan stated others ask why the City does not restrict the number of cars that can be on a property, but he does not want to go there because it would impact the ability of people to live in those homes. He stated if restricting on street, he thinks it should stay with 12 hours as it is more enforceable and provides fair and equitable enforcement.

Mr. Boganey stated he has a question because to some degree, he feels a lot of tonight's discussion has centered around solutions. But before getting much further into solutions, he would like to hear from the City Council/EDA as to their perspective on the problems and issues that need to be addressed.

Councilmember/Commissioner Graves stated because it is complaint based, her concern is the equitable piece as the complaints are directed at the lowest income or those at risk and vulnerable. She stated she lives on Brooklyn Boulevard so she widened her driveway and has seen others doing the same with patio blocks, noting some of those homes may have multiple breadwinners.

Councilmember/Commissioner Ryan stated he does not have a concern with the time restriction, as long-standing residents support it but he does have a concern if there is difficulty with consistent enforcement. He noted residents want to access information from the City where the rules are clearly stated and not everyone understands how it is supposed to work. In addition, the City needs a clear expression of the rules to tow vehicles in violation.

Mayor/President Willson stated he has no problem with the ordinance as it is today. He agreed it could be enforced better, which means the City needs to hire additional CSOs. On the other hand, he asked how many speeding complaints the City received and whether the City puts 'big brother' on the streets to address them. Mayor/President Willson asked how much expense the City wants to go to in order to address a complaint about a car parked on the street. He agreed some apartment complexes have a parking issue, but that is not a City street issue. The problem is that the apartment owners did not build enough parking to accommodate those who live there. Mayor/President Willson stated he does not see a problem that needs to be solved.

Councilmember/Commissioner Lawrence-Anderson stated there is inadequate staff to enforce the ordinance on the books, and ticketing is inconsistent as not all vehicles in violation are ticketed.

Councilmember/Commissioner Butler stated she does not have a problem with the ordinance. She stated the City is getting complaints but anyone getting ticketed knows they parked in violation. She supports the ordinance as she does not want to see cars parked on her street.

Mayor/President Willson stated the City's Code Enforcement looks at neighborhoods for code violations but when there is a sweep of an area, not everyone is tagged at the same time and some don't get tagged. He felt the City does the best it can and it boils down to how much does the City want to spend to be 'big brother.'

Councilmember/Commissioner Ryan asked whether the City Council/EDA feels it is that important to improve on what they have. He stated he does not make this a high priority but noted if only partial payment on tickets was received, given the number issued, it would probably pay for most of the expense of a CSO. Councilmember/Commissioner Ryan stated he does not see this as a high priority but wanted to respond in the context of what he sees as problems.

Mr. Boganey stated to the extent that inconsistent enforcement, real or perceived, is something that is significant concern to the City Council/EDA at a policy level, there is more than one way to address that. He noted it may be more staff, it may be seasonal, or it may be something the City Council/EDA is willing to live with.

Mayor/President Willson polled each Councilmember/Commissioner, asking if there is consensus to move forward with changes to the ordinance.

Councilmember/Commissioner Graves stated the whole ordinance does not need to be changed but changes need to be made to address inconsistency and targeted enforcement. Mayor/President Willson stated he does not agree there is an effort to target enforcement. Councilmember/Commissioner Graves felt they are targeting where the complaints are received. Mayor/President Willson stated violators are ticketed because the car is parked on the street. Councilmember/Commissioner Graves supported directing staff to look at the ordinance and suggest changes.

Councilmembers/Commissioners Ryan, Lawrence-Anderson, and Butler, and Mayor/President Willson indicated they do not support ordinance changes at this time.

The majority consensus of the City Council/EDA was to not consider changes to the parking ordinance at this time.

**CITY OF BROOKLYN CENTER 2018 STATE LEGISLATIVE ISSUES**

Mr. Boganey introduced the item and referenced the staff report containing a list of key legislative issues that would serve the interest of Brooklyn Center, noting they are issues the City Council/EDA has identified and prioritized as important legislative issues. He asked for feedback on the list as drafted, indicating staff will prepare a final list of legislative issues to share with the City's legislative delegation.

Mayor/President Willson asked about adding the Blue Line. Mr. Boganey referenced the comment about transportation system improvements and stated the Blue Line could be specifically called out. Mayor/President Willson supported making that change.

Councilmember/Commissioner Ryan asked whether the City should consider adding the $10.6 million gap on the 66th Avenue/Highway 252 project in the bonding bill. He referenced an article advocating for opposition by League member cities to various forms of pre-emption, one of which was the bill offered that if a city raises a levy over a certain amount, citizens could pass a petition and recall the issued levy. Mr. Boganey noted the City Council/EDA adopted a Resolution to that effect and it could be added to the list.

Mayor/President Willson commented on the efforts of Senator Eaton and stated why he would not support putting the $10.6 million funding gap in the list.

Councilmember/Commissioner Graves supported including the issue of pre-emption as suggested by Councilmember/Commissioner Ryan. Councilmember/Commissioner Ryan stated he does not think it would hurt to consider that resolution again as a general principle. Mayor/President Willson stated if going on record the City does not want to see a bill with pre-emption, so he would not support inclusion. Councilmember/Commissioner Ryan stated the League offers model resolutions and it could state it is an expression of Brooklyn Center's belief it is improper for local authorities to be pre-empted.

Mr. Boganey stated if there is a consensus this evening on the items listed, staff will provide it at the Legislative breakfast on Saturday. He explained the issue of pre-emption can be considered by the City Council/EDA at a future Work Session and added later, if desired.

The majority consensus of the City Council/EDA was to accept the 2018 Brooklyn Center Legislative Agenda with the addition of the Blue Line.

## ADJOURNMENT

Councilmember/Commissioner Ryan moved and Councilmember/Commissioner Lawrence-Anderson seconded adjournment of the City Council/Economic Development Authority Work Session at 9:16 p.m.

Motion passed unanimously.

# City Council Agenda Item No. 6b

# COUNCIL ITEM MEMORANDUM

DATE: February 20, 2018

TO: Curt Boganey, City Manager

THROUGH: Reggie Edwards, Deputy City Manager

FROM: Rozlyn Tousignant, Deputy City Clerk RT

SUBJECT: Licenses for City Council Approval

**Recommendation:**
It is recommended that the City Council consider approval of the following licenses on February 26, 2018.

**Background:**
The following businesses/persons have applied for City licenses as noted. Each business/person has fulfilled the requirements of the City Ordinance governing respective licenses, submitted appropriate applications, and paid proper fees. Applicants for rental dwelling licenses are in compliance with Chapter 12 of the City Code of Ordinances, unless comments are noted below the property address on the attached rental report.

**MECHANICAL**

| | |
|---|---|
| Heating & Cooling Exxperts LLC | 123 Cedar St., White Bear Lake, MN 55110 |
| Knight Heating & AC Inc. | 13535 89th Street NE, Elk River, MN 55330 |
| Larson Plumbing | 3095 162nd LA NW, Andover, MN 55304 |
| National Mechanical Solutions LLC | PO Box 406, Rosemount, MN 55068 |
| Peter Kraemer | 7964 Brooklyn Blvd #162, Brooklyn Park, MN 55445 |
| Sayler Heating & Air Conditioning, Inc | 6520 W. Lake St., St. Louis Park, MN 55426 |

**RENTAL**
See attached report.

# COUNCIL ITEM MEMORANDUM

## Rental License Category Criteria Policy – Adopted by City Council 03-08-10

| Property Code and Nuisance Violations Criteria | | |
|---|---|---|
| **License Category** (Based on Property Code Only) | **Number of Units** | **Property Code Violations per Inspected Unit** |
| Type I – 3 Year | 1-2 units | 0-1 |
| | 3+ units | 0-0.75 |
| Type II – 2 Year | 1-2 units | Greater than 1 but not more than 4 |
| | 3+ units | Greater than 0.75 but not more than 1.5 |
| Type III – 1 Year | 1-2 units | Greater than 4 but not more than 8 |
| | 3+ units | Greater than 1.5 but not more than 3 |
| Type IV – 6 Months | 1-2 units | Greater than 8 |
| | 3+ units | Greater than 3 |

| **License Category** | **Number of Units** | **Validated Calls for Disorderly Conduct Service & Part I Crimes** (Calls Per Unit/Year) |
|---|---|---|
| No Category Impact | 1-2 | 0-1 |
| | 3-4 units | 0-0.25 |
| | 5 or more units | 0-0.35 |
| Decrease 1 Category | 1-2 | Greater than 1 but not more than 3 |
| | 3-4 units | Greater than 0.25 but not more than 1 |
| | 5 or more units | Greater than 0.35 but not more than 0.50 |
| Decrease 2 Categories | 1-2 | Greater than 3 |
| | 3-4 units | Greater than 1 |
| | 5 or more units | Greater than 0.50 |

**Budget Issues:**

There are no budget issues to consider.

# Rental Licenses for Council Approval February 26, 2018

| Property Address | Dwelling Type | Renewal or Initial | Owner | Property Code Violations | License Type | Police CFS * | Final License Type ** | Previous License Type *** |
|---|---|---|---|---|---|---|---|---|
| 5712 Logan Ave N | Single Family | Initial | Mir Ali | 4 | II | N/A | II | |
| Evergreen Park Manor<br>7200 Camden Ave N | 5 Bldgs<br>80 Units | Renewal | Sean Bannerman | 101<br>1.26/Unit | II | 9<br>.11/Unit | II | |
| 4806 Twin Lake Ave | 1 Bldg<br>4 Units | Renewal | Craig Muckenhirn | 6<br>1.5/Unit | II | 0 | II | II |
| 5327-29 Queen Ave N | Two-Family (2) | Renewal | Alvin Stachowski | 1<br>.5/Unit | I | 0 | I | II |
| 1312 72nd Ave N | Single Family | Renewal | Curtis Cady | 3 | II | 0 | II | II |
| 6015 Aldrich Ave N | Single Family | Renewal | My Truong | 5 | III | 0 | III | IV |
| 7018 Drew Ave N | Single Family | Renewal | Michael Bocko | 2 | II | 0 | II | III |
| 6107 Emerson Ave N | Single Family | Renewal | Lydia Yeboah | 5 | III | 0 | III | II |
| 5818 Humboldt Ave N | Single Family | Renewal | Richard Olson | 1 | I | 0 | I | II |
| 4201 Lakeside Ave #316 | Single Family | Renewal | Maria Molenhauer | 0 | I | 0 | I | II |
| 6718 Scott Ave N | Single Family | Renewal | Invitation Homes | 1 | I | 0 | I | II |
| 6101 Xerxes Ave N | Single Family | Renewal | Govan Singh | 6 | III | 0 | III | III |

* CFS = Calls For Service for Renewal Licenses Only (Initial Licenses are not applicable to calls for service and will be listed N/A.)

** License Type Being Issued  Type I = 3 Year  Type II = 2 Year  Type III = 1 Year

*** Initial licenses will not show a previous license type

All properties are current on City utilities and property taxes

# City Council Agenda Item No. 6c

# COUNCIL ITEM MEMORANDUM

DATE: February 20, 2018

TO: Curt Boganey, City Manager

THROUGH: Doran M. Cote, P.E., Public Works Director

FROM: Mike Albers, P.E., City Engineer MA

SUBJECT: Resolution Approving Plans and Specifications and Authorizing Advertisement for Bids, Improvement Project Nos. 2018-01, 02, 03 and 04, Firehouse Park Area Street, Storm Drainage and Utility Improvements

**Recommendation:**
It is recommended that the City Council consider approval of the attached resolution approving plans and specifications and authorizing advertisement for bids, Improvement Project Nos. 2018-01, 02, 03 and 04, Firehouse Park Area Street, Storm Drainage and Utility Improvements.

**Background:**
On December 11, 2017, the City Council conducted a series of two public hearings on the proposed Firehouse Park Area Street, Storm Drainage and Utility Improvements. At that meeting, the City Council ordered the improvements and directed staff to prepare plans and specifications for the project.

Construction plans, specifications and contract documents have been prepared for the project. The overall scope of the project remains consistent with improvements outlined in the feasibility study. Staff is prepared to begin the project bidding process upon authorization from the City Council.

The bidding process would involve advertisement of the project in the City's official newspaper and in Finance and Commerce. Sealed bids would be collected, opened on a scheduled bid opening date and tabulated by the City Clerk and City Engineer. Staff anticipates that the bid results will be presented to the City Council for consideration at the April 23, 2018, City Council meeting.

**Budget Issues:**
The total project cost is estimated to be $12,268,000. Funding sources for the project are budgeted from sources as described in the project feasibility report previously accepted by the City Council on November 13, 2017. The special assessment rates were adopted by the City Council on November 13, 2017, and the funding sources were amended and presented to the City Council at the December 11, 2017, meeting.

**Strategic Priorities:**
- Key Transportation Investments

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING ADVERTISEMENT FOR BIDS, IMPROVEMENT PROJECT NOS. 2018-01, 02, 03 AND 04, FIREHOUSE PARK AREA STREET, STORM DRAINAGE AND UTILITY IMPROVEMENTS

WHEREAS, the Brooklyn Center City Council, by Resolution No. 2017-204, ordered Improvement Project Nos. 2018-01, 02, 03 and 04, and authorized the preparation of plans and specifications for the Firehouse Park Area Street, Storm Drainage and Utility Improvements; and

WHEREAS, said plans and specifications have been prepared under the direction of the City Engineer.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that:

1. The plans and specifications for Improvement Project Nos. 2018-01, 02, 03 and 04 are hereby approved, ordered and filed with the City Clerk.

2. The City Clerk shall prepare and cause to be inserted in the official newspaper and in Finance and Commerce an advertisement for bids for the making of such improvements in accordance with the approved plans and specifications. The advertisement shall be published in accordance with Minnesota Statutes, shall specify the work to be done and shall state the time and location at which bids will be opened by the City Clerk and City Manager or their designees. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the City Council on the issue of responsibility. No bids will be considered unless sealed and filed with the City Clerk and accompanied by a cash deposit, cashier's check, bid bond, or certified check payable to the City of Brooklyn Center for five percent of the amount of such bid.

February 26, 2018
Date

_____
Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

# CITY OF BROOKLYN CENTER

HENNEPIN COUNTY, MINNESOTA
PLANS FOR GRADING, BITUMINOUS PAVING, CONCRETE CURB AND GUTTER,
STORM SEWER, SANITARY SEWER, WATERMAIN AND MISCELLANEOUS CONSTRUCTION

## 2018 FIREHOUSE PARK AREA STREET AND UTILITY IMPROVEMENTS

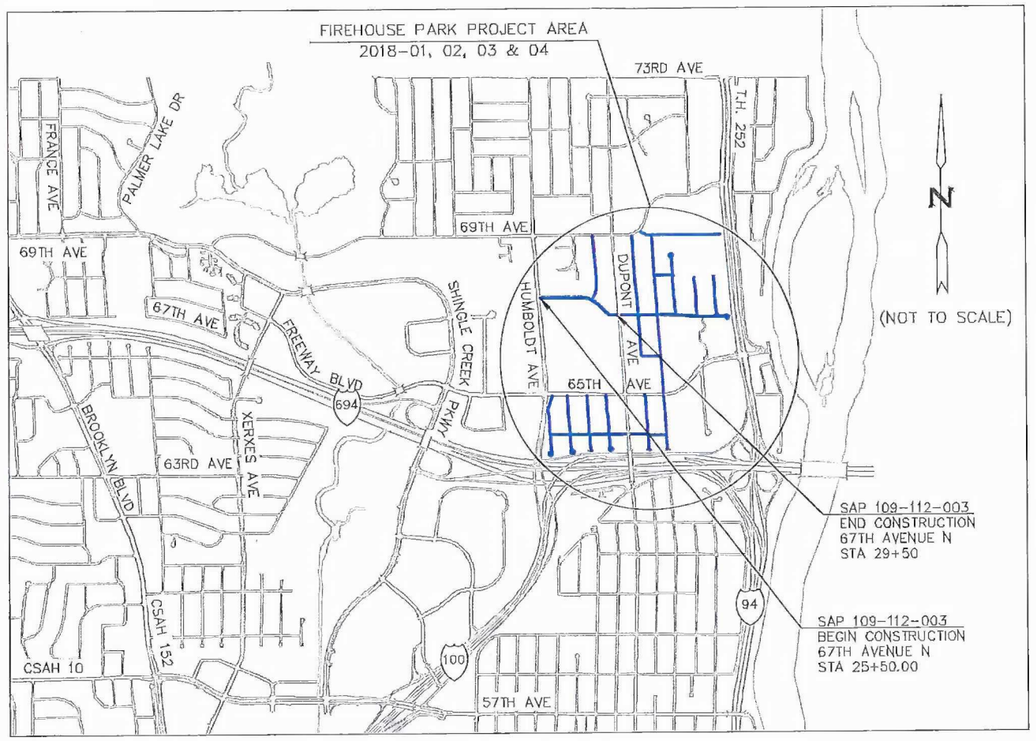
S.A.P. 109-112-003 LOCATED ON 67TH AVENUE N FROM HUMBOLDT AVENUE NORTH TO DUPONT AVENUE NORTH
CITY PROJECT NUMBERS 2018-01, 02, 03 & 04

PROPOSED CURB & GUTTER
EXISTING SANITARY SEWER
EXISTING SANITARY FORCE MAIN
PROPOSED SANITARY SEWER
PROPOSED SANITARY FORCE MAIN
EXISTING STORM SEWER
PROPOSED STORM SEWER
EXISTING WATERMAIN
PROPOSED WATERMAIN

EXISTING SANITARY MANHOLE
PROPOSED SANITARY MANHOLE
EXISTING STORM MANHOLE
PROPOSED STORM MANHOLE
EXISTING CATCH BASIN
PROPOSED CATCH BASIN
EXISTING HYDRANT
PROPOSED HYDRANT
EXISTING GATE VALVE
PROPOSED GATE VALVE
EXISTING WATER MANHOLE
PROPOSED WATER MANHOLE
EXISTING CURB BOX
PROPOSED CURB BOX
UTILITY POLE, LIGHT POLE
ELECTRIC MANHOLE

BURIED GAS MAIN
BURIED GAD MAIN (ABANDONED)
ELECTRIC (UNDERGROUND)
ELECTRIC (OVERHEAD)
CABLE TV (UNDERGROUND)
CABLE TV (OVERHEAD)
TELEPHONE (UNDERGROUND)
TELEPHONE (OVERHEAD)
FIBER OPTIC (UNDERGROUND)
FIBER OPTIC (OVERHEAD)
RIGHT-OF-WAY
PROPERTY LINE
FENCE

DECIDUOUS TREE
CONIFEROUS TREE
SHRUB
YARD LIGHT
MAILBOX
SIGN




| DESIGN DESIGNATION FOR: | 67TH AVE N |
|---|---|
| R-VALUE | 60 |
| ADT (Current Year) 2018 | 990 |
| ADT (Future Year) 2038 | 1260 |
| PAVEMENT DESIGN | 10 TON |
| FUNCTIONAL CLASSIFICATION | COLLECTOR |
| NO. OF TRAFFIC LANES | 2 |
| NO. OF PARKING LANES | 2 |
| ESALS (20) | 137,000 |
| DESIGN SPEED | 30 MPH |
| BASED ON SIGHT DISTANCE | STOPPING |
| HEIGHT OF EYE/HEIGHT OF OBJECT | 3.5'/2.0' |
| DESIGN SPEED NOT ACHIEVED AT: | N/A |

SAP 109-112-003

| | | |
|---|---|---|
| GROSS LENGTH | 1400 FEET | 0.27 MILES |
| BRIDGES-LENGTH | 0 FEET | 0 MILES |
| EXCEPTIONS-LENGTH | 0 FEET | 0 MILES |
| NET LENGTH | 1400 FEET | 0.27 MILES |

LENGTH AND DESCRIPTIONS BASED ON ℄ OF 67TH AVE N

SCALES

PLAN 50'

PROFILE 50' HORIZ. 5' VERTICAL

PROJECT LOCATION
COUNTY: HENNEPIN
DISTRICT: METRO

PLAN REVISIONS

| DATE | SHEET NO. | APPROVED BY |
|---|---|---|
| | | |

ALL TRAFFIC CONTROL DEVICES SHALL CONFORM AND BE INSTALLED IN ACCORDANCE TO THE "MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" (MN MUTCD) AND PART VI, "FIELD MANUAL FOR TEMPORARY TRAFFIC CONTROL ZONE LAYOUTS".

THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY QUALITY LEVEL D. THIS UTILITY QUALITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF CI/ASCE 38-02, ENTITLED "STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA.

THE BURIED UTILITY LINE LOCATIONS SHOWN ON THE PLAN SHEETS ARE ONLY APPROXIMATE. CONTRACTOR SHALL CALL 'GOPHER STATE ONE CALL' (651-454-0002) FOR EXACT LOCATIONS BEFORE COMMENCING WORK.

SAP 109-112-003

SHEET NO. 1 OF 211 SHEETS

## GOVERNING SPECIFICATIONS

THE 2018 EDITION OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR CONSTRUCTION" SHALL APPLY.

## INDEX


| SHEET NO. | DESCRIPTION |
|---|---|
| 1 | TITLE SHEET |
| 2-3 | GENERAL LAYOUT |
| 4-5 | STATEMENT OF ESTIMATED QUANTITIES |
| 6 | CONSTRUCTION AND SOILS NOTES |
| 7-9 | TABULATIONS |
| 10-11 | SANITARY SEWER TABULATION |
| 12-14 | STORM SEWER TABULATION |
| 15-16 | TYPICAL SECTIONS |
| 17-20 | CITY OF BROOKLYN CENTER STANDARD PLATES |
| 21-28 | TEMPORARY SEDIMENT CONTROL |
| 29-32 | STORM WATER POLLUTION PREVENTION PLAN |
| 33 | STAGING PLAN |
| 34-46 | REMOVAL PLANS |
| 47-70 | STORM SEWER AND STREET CONSTRUCTION PLANS |
| 71-77 | MISCELLANEOUS STORM SEWER PROFILE DRAWINGS |
| 78-104 | SANITARY SEWER AND WATERMAIN PLANS |
| 105-112 | INTERSECTION DETAILS |
| 113-121 | PEDESTRIAN CURB RAMP DETAILS |
| 122 | STRIPING PLAN |
| 123 | DETOUR PLANS |
| 124 | STORAGE YARD PLAN |
| 125-211 | CROSS SECTIONS |


THIS PLAN CONTAINS 211 SHEETS.

CITY OF
BROOKLYN CENTER
HENNEPIN COUNTY, MINNESOTA

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA

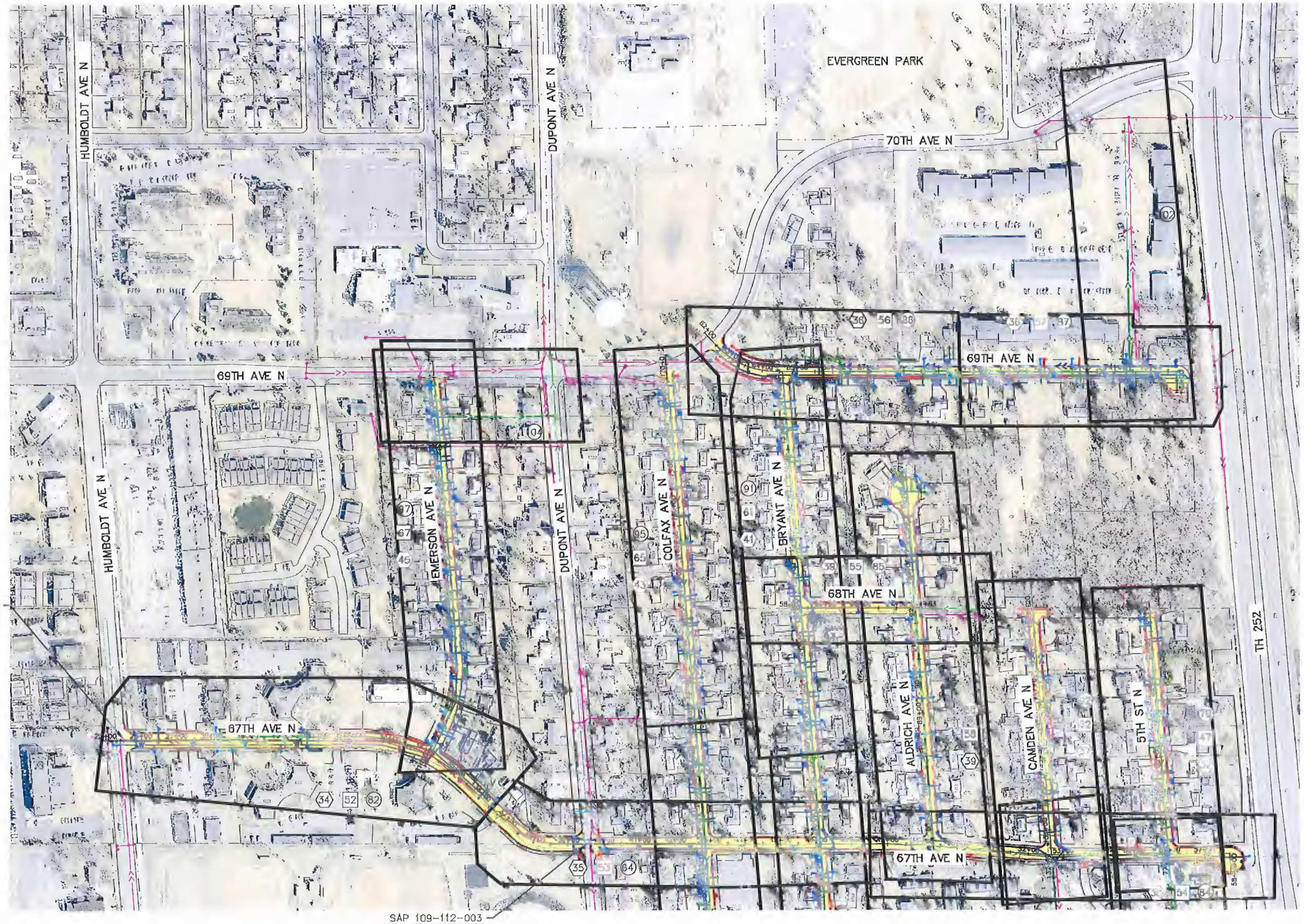
SIGNATURE: _____ DATE: _____
PRINTED NAME: JAY R. HILL LIC. NO. 24552

APPROVED: BROOKLYN CENTER CITY ENGINEER DATE: _____

DISTRICT STATE AID ENGINEER: REVIEWED FOR COMPLIANCE WITH STATE AID RULES/POLICY DATE: _____

STATE AID ENGINEER: APPROVED FOR STATE AID FUNDING DATE: _____

G:\engineering\projects_current projects\firehouse park area improvements 2018\C3D\BC201801-1001.dwg




N

150 0 150 300
SCALE FEET

LEGEND

- (XX) SANITARY SEWER AND WATER MAIN CONSTRUCTION PLAN
- [XX] STORM SEWER AND STREET CONSTRUCTION PLAN
- ⟨XX⟩ REMOVAL PLAN
- PROPOSED CONSTRUCTION AREA

| NO. | DATE | BY | REVISION |
|---|---|---|---|
| | | | |

CITY OF BROOKLYN CENTER
6301 SHINGLE CREEK PARKWAY
BROOKLYN CENTER, MN 55430
(763)569-3340

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

SIGNATURE: _____ DATE: _____
PRINTED NAME: JAY R. HILL LIC. NO. 24552

DESIGN BY JRH,SM,TW
DRAWN BY TW
CHECKED BY NA
DATE –

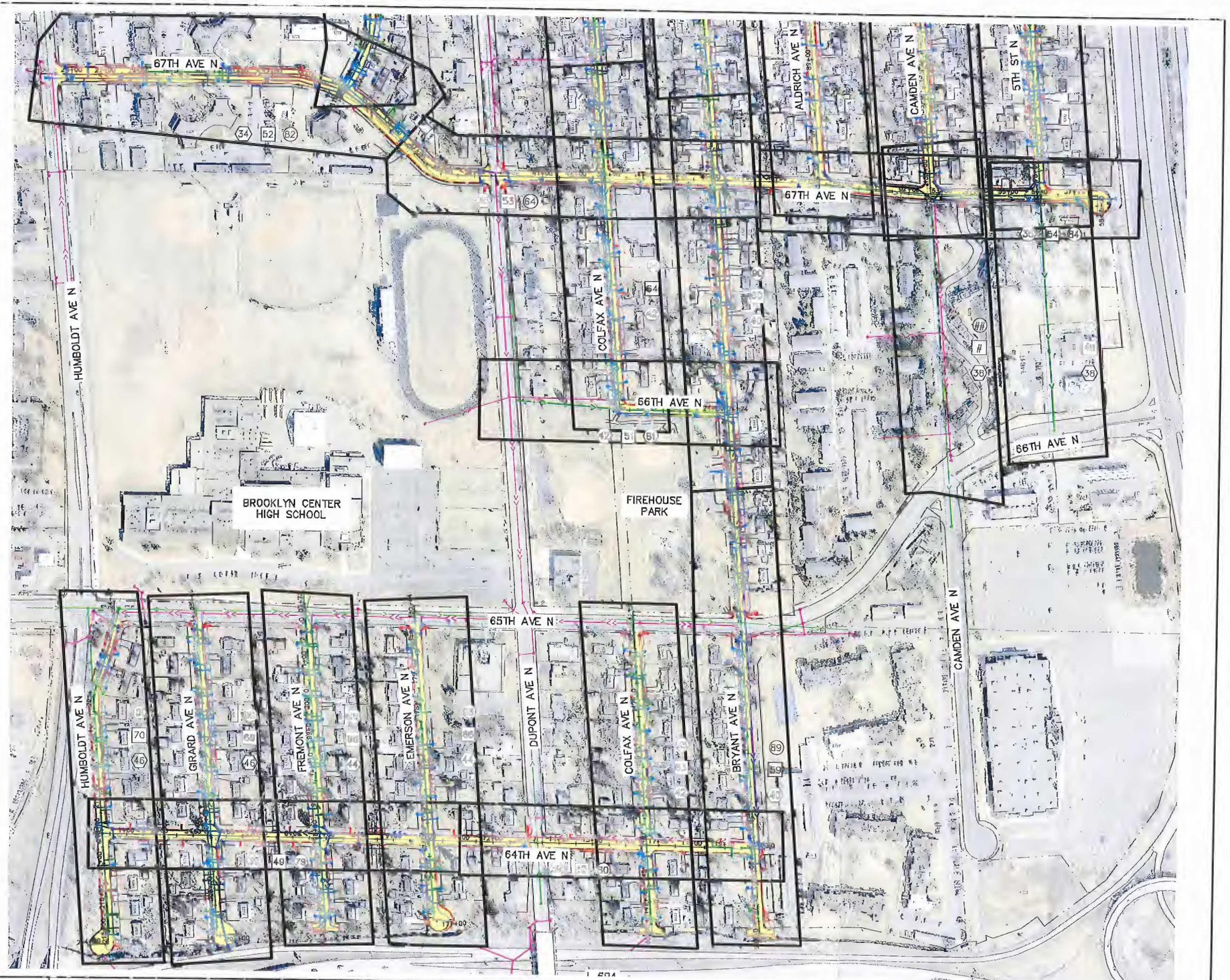
CITY PROJECT NOS. 2018-01, 02, 03 & 04
SAP 109-112-003

FIREHOUSE PARK AREA STREET & UTILITY IMPROVEMENTS

GENERAL LAYOUT

Sheet 2 of 211

G:\engineering projects_current projects\firehouse park area improvements 2018\C3D\BC201801-layout.dwg




150 0 150 300
SCALE FEET

LEGEND

- (XX) SANITARY SEWER AND WATER MAIN CONSTRUCTION PLAN
- [XX] STORM SEWER AND STREET CONSTRUCTION PLAN
- ⟨XX⟩ REMOVAL PLAN
- PROPOSED CONSTRUCTION AREA

| NO. | DATE | BY | REVISION |
|---|---|---|---|
| | | | |

CITY OF BROOKLYN CENTER
6301 SHINGLE CREEK PARKWAY
BROOKLYN CENTER, MN 55430
(763)569-3340

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

SIGNATURE: _____ DATE: _____
PRINTED NAME: JAY R. HILL LIC. NO. 24552

DESIGN BY JRH,SM,TW
DRAWN BY JRH,SM,TW
CHECKED BY NA
DATE –

CITY PROJECT NOS. 2018-01, 02, 03 & 04
SAP 109-112-003

FIREHOUSE PARK AREA STREET & UTILITY IMPROVEMENTS

GENERAL LAYOUT

Sheet 3 of 211

G:\engineering\projects_current projects\firehouse park area improvements 2018\C3D\BC201801-1uiGL.dwg

# City Council Agenda Item No. 6d

# COUNCIL ITEM MEMORANDUM

DATE: February 20, 2018

TO: Curt Boganey, City Manager

THROUGH: Duran M. Cote, P.E., Public Works Director

FROM: Mike Albers, P.E., City Engineer MA

SUBJECT: Resolution Approving Plans and Specifications and Authorizing Advertisement for Bids, Improvement Project No. 2018-05, Brooklyn Boulevard Corridor Project Phase 1 and Improvement Project No. 2018-06, 51st Avenue/Frontage Improvements

**Recommendation:**
It is recommended that the City Council consider approval of the attached resolution approving plans and specifications and authorizing advertisement for bids, Improvement Project No. 2018-05, Brooklyn Boulevard Corridor Project Phase 1 and Improvement Project No. 2018-06, 51st Avenue/Frontage Improvements

**Background:**
The City completed the Brooklyn Boulevard Corridor Study in 2013 to guide reconstruction and redevelopment of the Brooklyn Boulevard corridor. On May 9, 2016, the City Council ordered improvements and directed staff to prepare plans and specifications for the Brooklyn Boulevard Corridor Project Phase 1 from 49th Avenue to Bass Lake Road.

On December 11, 2017, the City Council conducted a series of two public hearings on the proposed 51st Avenue/Frontage Road Street, Storm Drainage and Utility Improvements. At that meeting, the City Council ordered the improvements and directed staff to prepare plans and specifications for the project. The 51st Avenue/Frontage Road Improvements has been planned and coordinated as part of and concurrently with the Brooklyn Boulevard Corridor Phase 1 Improvements to reduce redundant tasks between the two projects.

Construction plans, specifications and contract documents have been prepared for the projects. The overall scope of the Brooklyn Boulevard project remains consistent with the Brooklyn Boulevard Corridor Study and the 51st Avenue/Frontage Road Improvements remains consistent with the improvements outlined in the feasibility study. Staff is prepared to begin the project bidding process upon authorization from the City Council.

The bidding process would involve advertisement of the project in the City's official newspaper and in Finance and Commerce. Sealed bids would be collected, opened on a scheduled bid opening date and tabulated by the City Clerk and City Engineer. Staff anticipates that the bid results will be presented to the City Council for consideration at the June 25, 2018, City Council meeting.

# COUNCIL ITEM MEMORANDUM

**Budget Issues:**
The Brooklyn Boulevard Corridor Project Phase 1 (49th Avenue to Bass Lake Road) is identified in the City's 2018 Capital Improvement Program and the total project cost is estimated to be $15,000,000.

The 51st Avenue/Frontage Road Improvements project cost is estimated to be $600,000. Funding sources for the project are budgeted from sources as described in the project feasibility report previously accepted by the City Council on November 13, 2017, and presented to the City Council at the December 11, 2017, meeting.

**Strategic Priorities:**

- Key Transportation Investments

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING ADVERTISEMENT FOR BIDS, IMPROVEMENT PROJECT NO. 2018-05, BROOKLYN BOULEVARD CORRIDOR PROJECT PHASE 1 AND IMPROVEMENT PROJECT NO 2018-06, 51ST AVENUE/FRONTAGE IMPROVEMENTS

WHEREAS, the Brooklyn Center City Council, by Resolution No. 2016-71, ordered Improvement Project No. 2018-05, Brooklyn Boulevard Corridor Project Phase 1 from 49th Avenue to Bass Lake Road and authorized the preparation of plans and specifications for the Brooklyn Boulevard Corridor Project Phase 1; and

WHEREAS, the Brooklyn Center City Council, by Resolution No. 2017-206, ordered Improvement Project No. 2018-06, 51st Avenue/Frontage Road Street, Storm Drainage and Utility Improvements and authorized the preparation of plans and specifications for the 51st Avenue/Frontage Improvements; and

WHEREAS, said plans and specifications have been prepared under the direction of the City Engineer.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that:

1. The plans and specifications for Improvement Project Nos. 2018-05 and 2018-06 are hereby approved, ordered and filed with the City Clerk.

2. The City Clerk shall prepare and cause to be inserted in the official newspaper and in Finance and Commerce an advertisement for bids for the making of such improvements in accordance with the approved plans and specifications. The advertisement shall be published in accordance with Minnesota Statutes, shall specify the work to be done and shall state the time and location at which bids will be opened by the City Clerk and City Manager or their designees. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the City Council on the issue of responsibility. No bids will be considered unless sealed and filed with the City Clerk and accompanied by a cash deposit, cashier's check, bid bond, or certified check payable to the City of Brooklyn Center for five percent of the amount of such bid.

RESOLUTION NO. _____

February 26, 2018
Date

_____
Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

# MINNESOTA DEPARTMENT OF TRANSPORTATION
## CITY OF BROOKLYN CENTER, MINNESOTA
## CSAH 152 (BROOKLYN BOULEVARD) RECONSTRUCTION PROJECT

CONSTRUCTION PLAN FOR GRADING, BITUMINOUS SURFACING, ADA IMPROVEMENTS, DRAINAGE, SIGNAL SYSTEMS, LIGHTING

LOCATED ON CSAH 152 (BROOKLYN BOULEVARD) FROM 500' SOUTH OF 49TH AVENUE TO 600' NORTH OF CSAH 10 (BASS LAKE ROAD)

FED. PROJ. NO. STPF 2718 (101)

### PLAN SYMBOLS

STATE LINE
COUNTY LINE
TOWNSHIP OR RANGE LINE
SECTION LINE
QUARTER LINE
SIXTEENTH LINE
RIGHT-OF-WAY LINE
PRESENT RIGHT-OF-WAY LINE
CONTROL OF ACCESS LINE
PROPERTY LINE (Except Land Lines)
VACATED PLATTED PROPERTY
CORPORATE OR CITY LIMITS
TRUNK HIGHWAY CENTER LINE
CONC. RETAINING WALL
RAILROAD
RAILROAD RIGHT-OF-WAY LINE
RIVER OR CREEK (NAME)
DRY RUN
DRAINAGE DITCH (SIZE)
DRAIN TILE
CULVERT
DROP INLET
GUARD RAIL
BARBED WIRE FENCE
WOVEN WIRE FENCE
CHAIN LINK FENCE
RAILROAD SNOW FENCE
STONE WALL OR FENCE
HEDGE
RAILROAD CROSSING SIGN
RAILROAD CROSSING BELL
ELECTRIC WARNING SIGN
CROSSING GATE
MEANDER CORNER
MAIL BOX
SPRINGS
MARSH
TIMBER, ORCHARD, BRUSH, NURSERY (TIMBER)
CATCH BASIN
FIRE HYDRANT
CATTLE GUARD
OVERPASS (Highway Over)
UNDERPASS (Highway Under)
BRIDGE
BUILDING (One Story Frame)
F-FRAME C-CONCRETE
S-STONE T-TILE
B-BRICK ST-STUCCO
IRON PIPE OR ROD
MONUMENT (STONE, CONCRETE, OR METAL)
WOODEN HUB
GRAVEL PIT
SAND PIT
BORROW PIT
ROCK QUARRY

### UTILITY SYMBOLS

POWER POLE LINE
TELEPHONE OR TELEGRAPH POLE LINE
JOINT TELEPHONE AND POWER ON POWER POLES
ON TELEPHONE POLES
ANCHOR
STEEL TOWER
STREET LIGHT
PEDESTAL (TELEPHONE CABLE TERMINAL)
GAS MAIN
WATER MAIN
CONDUIT
TELEPHONE CABLE IN CONDUIT
ELECTRIC CABLE IN CONDUIT
TELEPHONE MANHOLE
ELECTRIC MANHOLE
BURIED TELEPHONE CABLE
BURIED ELECTRIC CABLE
AERIAL TELEPHONE CABLE
SEWER, (SANITARY)
SEWER, (STORM)
SEWER MANHOLE
HANDHOLE

INDEX MAP SCALE 2000'

STATE PROJ. NO. 109-020-013
COUNTY PROJECT NO. SP 027-752-032

| | | | | |
|---|---|---|---|---|
| GROSS LENGTH | 7303.73 | FEET | 1.383 | MILES |
| BRIDGES-LENGTH | 295.67 | FEET | 0.056 | MILES |
| EXCEPTIONS-LENGTH | 295.67 | FEET | 0.056 | MILES |
| NET LENGTH | 7008.06 | FEET | 1.327 | MILES |

LENGTH AND DESCRIPTION BASED UPON CSAH 152 (BROOKLYN BLVD) AND NB CSAH 152 (BROOKLYN BLVD)

STATE AID PROJ. NO. 109-024-001
CITY PROJECT 2018-06

| | | | | |
|---|---|---|---|---|
| GROSS LENGTH | 359.89 | FEET | 1.383 | MILES |
| BRIDGES-LENGTH | | FEET | | MILES |
| EXCEPTIONS-LENGTH | | FEET | | MILES |
| NET LENGTH | 359.89 | FEET | 0.068 | MILES |

LENGTH AND DESCRIPTION BASED UPON 51ST AVENUE N

| PLAN REVISIONS | | |
|---|---|---|
| DATE | SHEET NO. | APPROVED BY |
| | | |
| | | |
| | | |
| | | |
| | | |

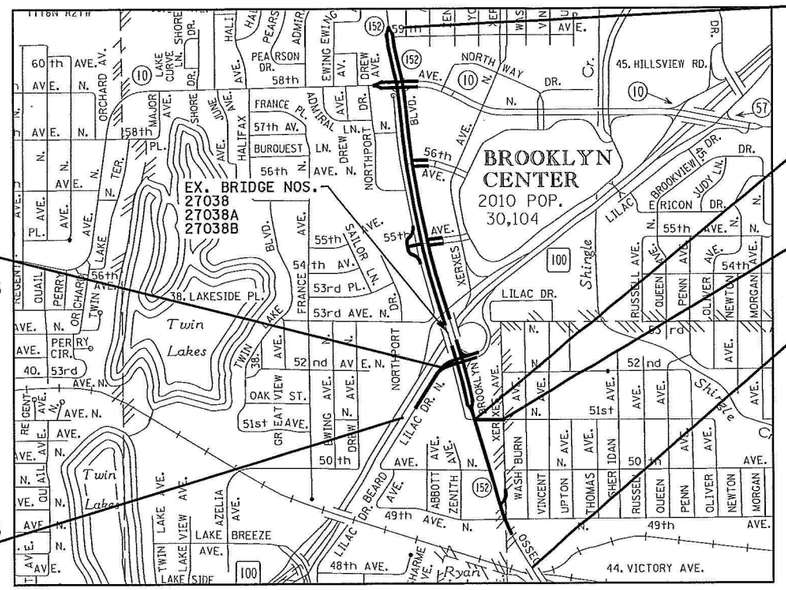
AGREEMENT NO.

CITY OF BROOKLYN CENTER
SP 109-020-013 (TH 100 = 212)
LOCAL FUNDS

METRO DISTRICT

END
CITY PROJECT NO. 2018-06
LILAC DRIVE N
STA. 18+58.46

BEGIN
CITY PROJECT NO. 2018-06
LILAC DRIVE N
STA. 11+38.90

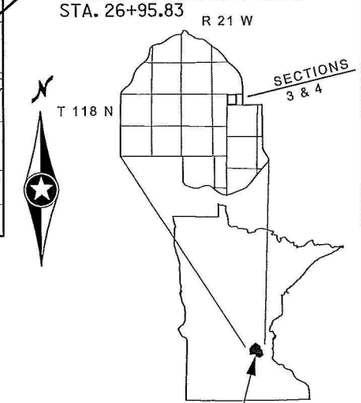



END SP 109-020-013
END COUNTY PROJECT NO.
SP 027-752-032
NB CSAH 152 (BROOKLYN BLVD)
STA. 99+99.56

BEGIN SAP 109-124-001
51ST AVE N
STA. 50+13.47

END SAP 109-124-001
51ST AVE N
STA. 53+73.36

BEGIN SP 109-020-013
BEGIN COUNTY PROJECT NO.
SP 027-752-032
CSAH 152 (BROOKLYN BLVD)
STA. 26+95.83




FOR PLANS AND UTILITIES SYMBOLS SEE TECHNICAL MANUAL

| STATE PROJ. NO. | CHARGE IDENTIFIER |
|---|---|
| | |
| | |
| | |
| | |

| DESIGN DESIGNATION FOR: | CSAH 152 (BROOKLYN BLVD) SOUTH OF TH 100 | CSAH 152 (BROOKLYN BLVD) NORTH OF TH 100 | LILAC DRIVE | 51ST AVENUE |
|---|---|---|---|---|
| R-VALUE | 50 | 50 | 50 | 50 |
| ADT (Current Year) 2016 = | 20,800 | 21,900 | 750 | 3,100 |
| ADT (Future Year) 2040 = | 26,400 (2040) | 29,200 (2040) | 900 (2040) | 3,900 (2040) |
| PAVEMENT DESIGN | 10 TON | 10 TON | 10 TON | 10 TON |
| FUNCTIONAL CLASSIFICATION | MINOR ARTERIAL | MINOR ARTERIAL | LOCAL STREET | MAJOR COLLECTOR |
| NO. OF TRAFFIC LANES | 2 | 4 | 2 | 2 |
| NO. OF PARKING LANES | 0 | 0 | 0 | 0 |
| ESALS (20) | 4,155,000 (20 YRS.) | 4,498,000 (20 YRS.) | 101,000 (20 YRS.) | 310,000 (20 YRS.) |
| Design Speed | 35 MPH | 40 MPH | 30 MPH | 30 MPH |
| Based on Sight Distance | STOPPING | STOPPING | STOPPING | STOPPING |
| Height of eye / Height of Object | 3.5' / 2.0' | 3.5' / 2.0' | 3.5' / 2.0' | 3.5' / 2.0' |
| Design Speed not achieved at: | NA | NA | NA | NA |

| DESIGN DESIGNATION FOR: | TRAIL |
|---|---|
| Design Speed | 20 MPH |
| Based on Sight Distance | STOPPING |
| Height of eye / Height of Object | 4.5' / 0.0' |
| Design Speed not achieved at: | NA |

### GOVERNING SPECIFICATIONS

THE 2018 EDITION OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION 'STANDARD SPECIFICATIONS FOR CONSTRUCTION' SHALL GOVERN.

ALL TRAFFIC CONTROL DEVICES SHALL CONFORM AND BE INSTALLED IN ACCORDANCE TO THE LATEST EDITION OF THE 'MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES' (MN MUTCD) AND PART VI, 'FIELD MANUAL FOR TEMPORARY TRAFFIC CONTROL ZONE LAYOUTS'.

### INDEX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| 13 | CONSTRUCTION AND SOILS NOTES |
| 14 | STANDARD PLATES AND INDEX OF TABULATIONS |
| 15-19 | EARTHWORK SUMMARY AND TABULATIONS |
| 20-30 | TABULATIONS |
| 31-55 | EXISTING UTILITY TABULATIONS |
| 56-66 | TYPICAL SECTIONS |
| 67-68 | CITY OF BROOKLYN CENTER STANDARD PLATES |
| 69-74 | MISCELLANEOUS DETAILS |
| 75-95 | STANDARD PLAN SHEETS |
| 96-102 | DETOUR PLANS |
| 103-139 | STAGING AND TRAFFIC CONTROL PLANS |
| 140-158 | ALIGNMENT PLAN AND TABULATIONS |
| 159-165 | TOPOGRAPHY AND UTILITY PLAN |
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| 173-178 | SIGNING REMOVAL PLANS |
| 179-193 | CONSTRUCTION PLAN AND PROFILES |
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| 215-229 | PEDESTRIAN CURB RAMP DETAILS |
| 230-235 | METRO TRANSIT BRT STATION DETAILS |
| 236-247 | DRAINAGE AND SUPERELEVATION PLAN AND PROFILES |
| 248-261 | DRAINAGE PROFILES, TABULATIONS AND DETAILS |
| 262-264 | STORM WATER POLLUTION PREVENTION PLAN |
| 265-271 | EROSION CONTROL AND TURF ESTABLISHMENT PLAN |
| 272-278 | SANITARY SEWER AND WATERMAIN PLAN AND PROFILE |
| 279-294 | SIGNING AND STRIPING PLAN AND DETAILS |
| 295-309 | LIGHTING PLANS AND DETAILS |
| 310-347 | STREETSCAPE PLANS AND PLANTING DETAILS |
| 348-412 | TRAFFIC SIGNAL PLANS AND DETAILS |
| 413-416 | CONTOUR PLAN |
| 417-421 | BROOKDALE COVANENT CHURCH SITE PLAN |
| 422-424 | CROSS SECTION LAYOUT PLAN |
| 425-534 | CROSS SECTIONS |


THIS PLAN CONTAINS 534 SHEETS

SRF Consulting Group, Inc.

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

SIGNATURE

DATE XX/XX/XX LIC. NO. 47160 PRINT NAME JONATHAN McPHERSON

APPROVED ..... 20.....
HENNEPIN COUNTY; COUNTY HIGHWAY ENGINEER

APPROVED ..... 20.....
BROOKLYN CENTER CITY ENGINEER

APPROVED ..... 20.....
MINNEAPOLIS CITY ENGINEER

RECOMMENDED FOR APPROVAL ..... 20.....
HENNEPIN COUNTY; DESIGN DIVISION ENGINEER

RECOMMENDED FOR APPROVAL ..... 20.....
DISTRICT TRANSPORTATION ENGINEER

RECOMMENDED FOR APPROVAL ..... 20.....
DISTRICT MATERIALS ENGINEER

RECOMMENDED FOR APPROVAL ..... 20.....
DISTRICT WATER RESOURCES ENGINEER

RECOMMENDED FOR APPROVAL ..... 20.....
DISTRICT TRAFFIC ENGINEER

RECOMMENDED FOR APPROVAL ..... 20.....
STATE PRE-LETTING ENGINEER

RECOMMENDED FOR APPROVAL ..... 20.....
DIRECTOR, OFFICE OF LAND MANAGEMENT

APPROVED ..... 20.....
STATE DESIGN ENGINEER

..... 20.....
DISTRICT STATE AID ENGINEER; REVIEWED FOR COMPLIANCE WITH STATE AND/OR FEDERAL AID RULES/POLICY

..... 20.....
APPROVED FOR STATE AID AND/OR FEDERAL AID FUNDING; STATE AID ENGINEER

I HEREBY CERTIFY THAT THE FINAL FIELD CHANGES, IF ANY, OF THIS PLAN WERE MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

SIGNATURE

DATE LIC. NO. PRINT NAME


THIS PLAN AND/OR SPECIFICATION WAS PREPARED SPECIFICALLY FOR THIS PROJECT, AND ANY RE-USE OF DETAILS OR SPECIFICATIONS ON OTHER PROJECTS IS NOT INTENDED OR AUTHORIZED BY THE DESIGNER. LIABILITY FOR ANY RE-USE ON OTHER PROJECTS IS THE RESPONSIBILITY OF THE PERSON, AGENCY, OR CORPORATION USING PLAN OR SPECIFICATION DATA FROM THIS PROJECT.


THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY QUALITY LEVEL D. THIS QUALITY LEVEL WAS DETERMINED ACCORDING TO GUIDELINES OF CI/ASCE 38-02, ENTITLED "STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA".

SAP 109-024-001
STATE PROJ. NO. 109-020-013



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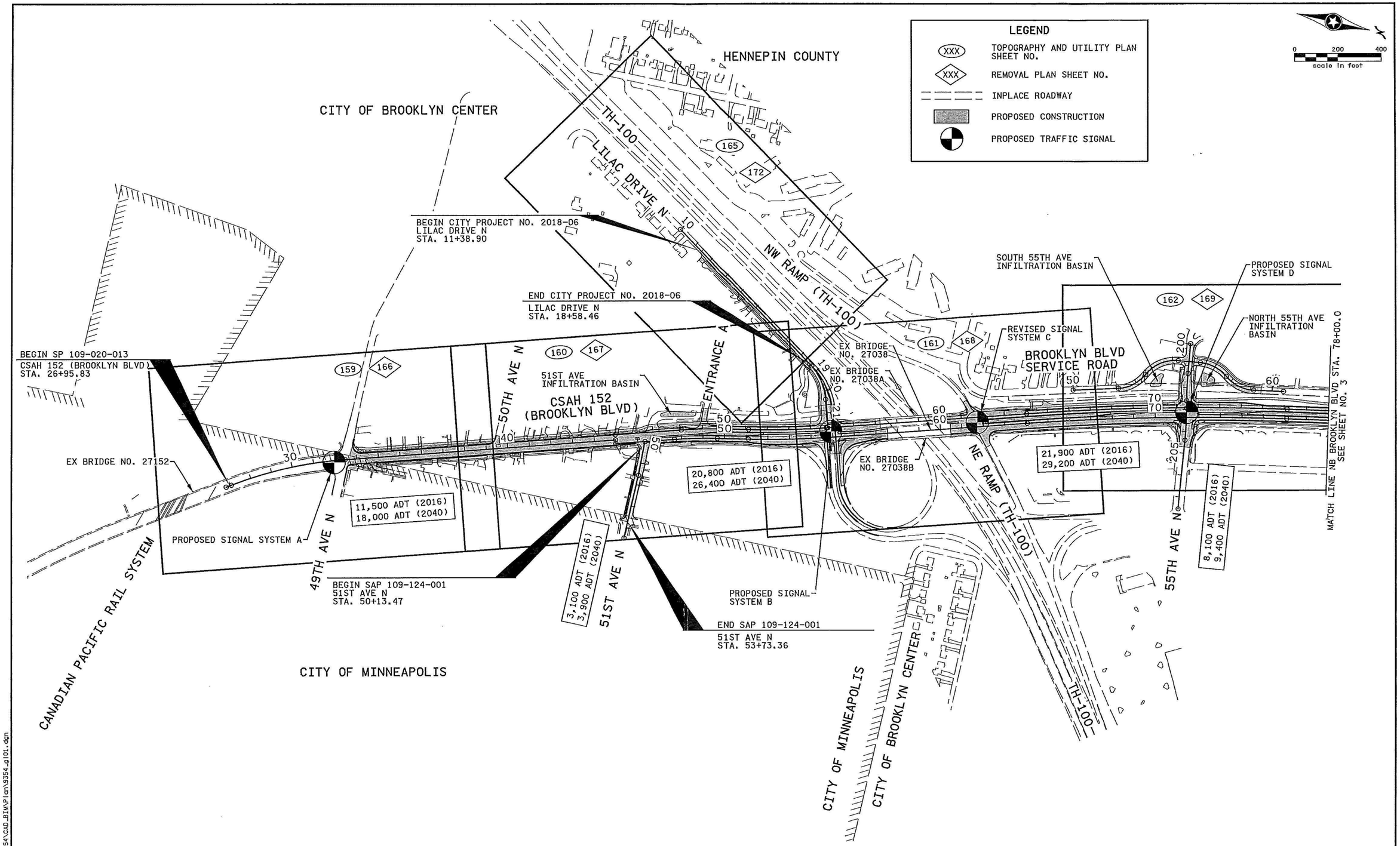


| NO | DATE | BY | CKD | APPR | REVISION |
|---|---|---|---|---|---|

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I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Print Name: JONATHAN McPHERSON

Date _____ License # 47160

| | |
|---|---|
| STATE AID PROJECT NO. SAP 109-124-001 | DRAWN BY J. VAN BECK |
| STATE PROJECT NO. SP 109-020-013 | DESIGNED BY C. BRABAND |
| COUNTY PROJECT NO. SP 027-752-032 | CHECKED BY C. BRABAND |
| CITY PROJECT NO. SP 109-020-013 | COMM. NO. 0169354 |

SRF Consulting Group, Inc. ENGINEERS PLANNERS DESIGNERS

CITY OF BROOKLYN CENTER

GENERAL LAYOUT - PLAN SHEETS

CSAH 152 (BROOKLYN BOULEVARD)

SP 109-020-013

SHEET 2 OF 534

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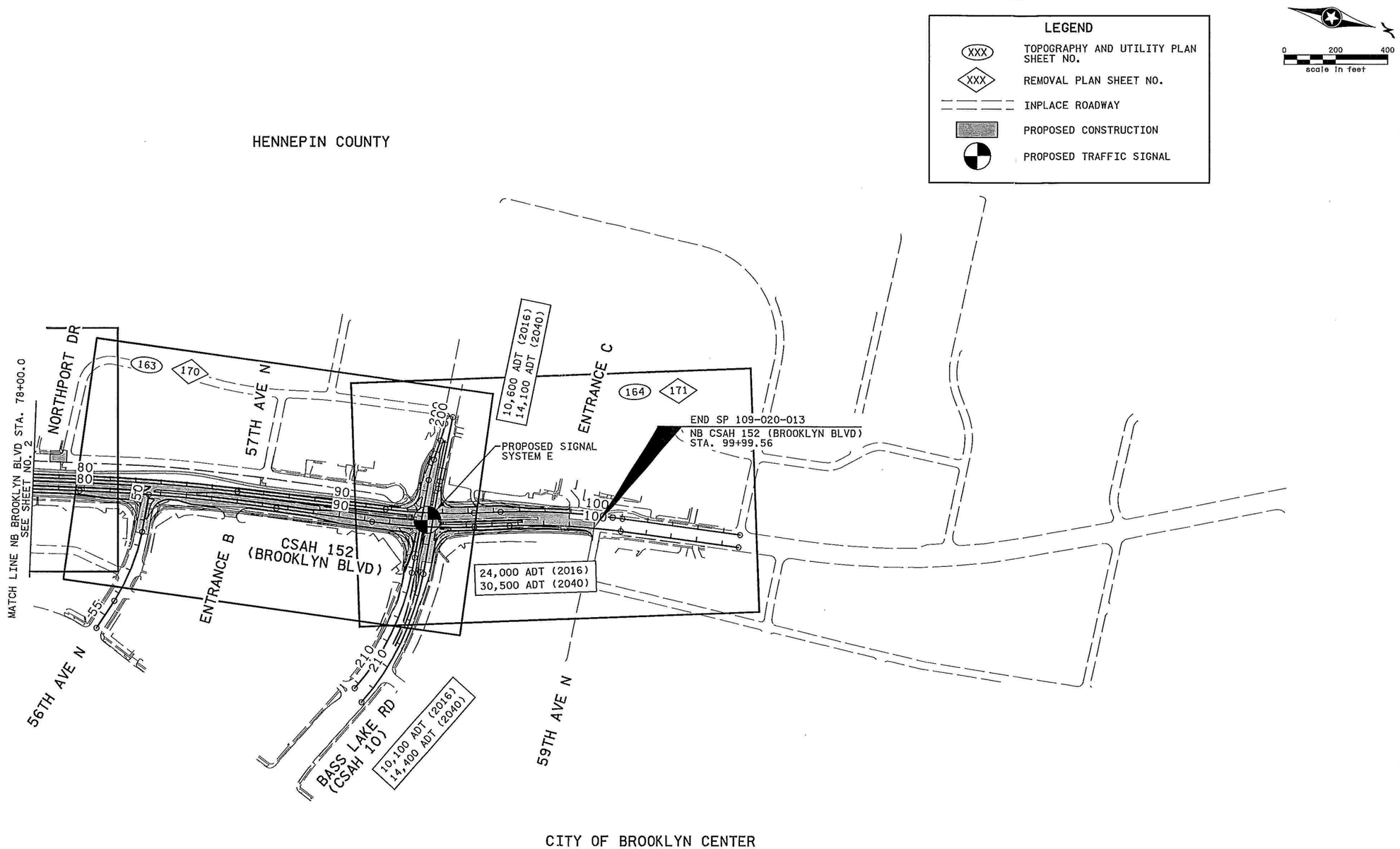


| NO | DATE | BY | CKD | APPR | REVISION |
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I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Print Name: JONATHAN McPHERSON

Date _____ License # 47160

| | |
|---|---|
| STATE AID PROJECT NO. SAP 109-124-001 | DRAWN BY J. VAN BECK |
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SRF Consulting Group, Inc. ENGINEERS PLANNERS DESIGNERS

CITY OF BROOKLYN CENTER

GENERAL LAYOUT - PLAN SHEETS

CSAH 152 (BROOKLYN BOULEVARD)

SP 109-020-013

SHEET 3 OF 534

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# City Council Agenda Item No. 6e

# COUNCIL ITEM MEMORANDUM

DATE: February 20, 2018

TO: Curt Boganey, City Manager

FROM: Doran M. Cote, P.E., Public Works Director

SUBJECT: Resolution Authorizing Xcel Energy to Recover Cost of Undergrounding Brooklyn Boulevard Electric Transmission Facilities by a Surcharge to Brooklyn Center Xcel Ratepayers - Brooklyn Boulevard Corridor Project Phase 1, Project No. 2018-05

**Recommendation:**
It is recommended that the City Council consider approval of a resolution authorizing Xcel Energy to recover the cost of undergrounding Brooklyn Boulevard electric transmission facilities by a surcharge to Brooklyn Center Xcel ratepayers for Brooklyn Boulevard Corridor Project Phase 1, Project No. 2018-05.

**Background:**
On May 9, 2016, the City Council directed staff to proceed with the preliminary design, environmental documentation, easement acquisition and final design work for the Brooklyn Boulevard Corridor Project Phase 1 (49th Avenue to Bass Lake Road), Project No. 2018-05. This project is scheduled to be constructed in 2018.

The proposed reconstruction and streetscape improvements will improve roadway safety, enhance traffic operations, reduce access points and provide improved bicycle and pedestrian facilities for a 1.4-mile segment of the corridor in Brooklyn Center between 49th Avenue and Bass Lake Road (County Road 10). The project will enhance bicycle and pedestrian travel by adding a trail, improving sidewalks, transit stops, adding streetscaping and landscaping and improving the functionality of intersections with modified turn lanes. The streetscape improvements also include burying the existing overhead power lines as was done in 2001 on Brooklyn Boulevard from south of 63rd Avenue to the north City limits.

On September 21, 2001, the Public Utilities Commission (PUC) approved that Xcel Energy establish a Community Requested Facility Surcharge (CRFS) Rider to recover the costs of distribution facilities being undergrounded where requested or ordered by a City where the City elects not to prepay the costs. The City would receive notice of the incremental costs associated with a distribution undergrounding project and could then elect to prepay or allow recovery through the CRFS mechanism. For other projects, the affected municipality would receive notice of any rate filing with the Commission to recover special facility costs by surcharge from the customers in the municipality.

The surcharge option, CRFS, is available for those projects where each rate payer of the City would have a small surcharge added to their electric bill based on a formula to finance the cost of the work over a period of time. The CRFS has been used previously by the City of Brooklyn Center to pay for all or a portion of the costs to underground overhead Xcel Energy facilities including the project noted above.

# COUNCIL ITEM MEMORANDUM

It is recommended that at least a portion of the costs to bury the Xcel Energy power lines be funded through the CRFS program. Staff will be applying for a Hennepin County Roadside Enhancement Partnership Program (REP) grant to help offset a portion of the costs as well. If the undergrounding is to enhance the visual aesthetics of the corridor, the REP program will contribute at a 33 percent level.

**Budget Issues:**
The Brooklyn Boulevard Corridor Project Phase 1 (49th Avenue to Bass Lake Road) is identified in the City's 2018 Capital Improvement Program and the total project cost is estimated to be $15,000,000. The estimated cost to underground the Xcel Energy power lines is $419,122.31. The REP program could fund up to approximately $140,000 of costs with the remainder proposed to be funded through the CRFS program. The estimated monthly surcharge to Brooklyn Center ratepayers based on a CRFS amount of $280,000 is $2.00 per month for two years.

**Strategic Priorities:**
- Key Transportation Investments

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION AUTHORIZING XCEL ENERGY TO RECOVER COST OF UNDERGROUNDING BROOKLYN BOULEVARD ELECTRIC TRANSMISSION FACILITIES BY A SURCHARGE TO BROOKLYN CENTER XCEL RATEPAYERS - BROOKLYN BOULEVARD CORRIDOR PROJECT PHASE 1, PROJECT NO. 2018-05

WHEREAS, the City will be undertaking reconstruction and streetscape improvements to improve roadway safety, enhance traffic operations, reduce access points and provide improved bicycle and pedestrian facilities for a 1.4-mile segment of the corridor in Brooklyn Center between 49th Avenue and Bass Lake Road (County Road 10).; and

WHEREAS, streetscape improvements also include burying the existing overhead power lines as was done in 2001 on Brooklyn Boulevard from south of 63rd Avenue to the north City limits; and

WHEREAS, the City understands that Xcel Energy will not place its facilities underground on a County Road unless the City agrees to Xcel's collection of its necessary, actual and reasonably incurred additional costs by a surcharge on its customers within the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that

1. Xcel Energy is hereby requested and directed to relocate its overhead facilities on Brooklyn Boulevard from 49th Avenue to just north of Bass Lake Road (County Road 10).

2. The City agrees that Xcel Energy may collect its necessary, actual and reasonably incurred costs by a surcharge once approval of an underground tariff is issued by the Minnesota Public Utilities Commission.

February 26, 2018 _____
Date Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

# City Council Agenda Item No. 6f

# COUNCIL ITEM MEMORANDUM

DATE: February 20, 2018

TO: Curt Boganey, City Manager

THROUGH: Mike Albers P.E., City Engineer MA

FROM: Andrew Hogg P.E., Assistant City Engineer

SUBJECT: Resolution Establishing Permit Fee for Pole Attachment Permit and Revising Right-of-Way Permit Fee Schedule

**Recommendation:**
It is recommended that the City Council consider approval of revisions to the City fee schedule for right-of-way permits and approve the adoption of a pole attachment permit fee.

**Background:**
In order to clear up confusion about whether wireless providers represent telecommunications right-of-way users under state law and to address concerns about deployment of small wireless technology, the Legislature amended Minnesota's Right-of-Way User statutes, or Minnesota ROW Law, in the 2017 Legislative session to specifically address small wireless facilities and the support structures on which they may attach. The City's Right-of-Way Ordinance will be amended in order to effectively manage the right-of-way and these small wireless facilities. The draft ordinance, which will be reviewed by the Planning Commission on March 1, 2018, includes a pole attachment permit, which will be required by providers seeking to locate their small cell facilities within the City right-of-way.

The cost for City staff time to review and manage the pole attachment permits will be allocated to permit applicants in the form of a permit fee. Because small cell providers are currently requesting permits to locate in City right-of-way, attached for consideration is a City Council resolution establishing a fee of $1,500 per pole location. Staff has 90 days to review each permit application which will allow adequate time for the adoption of the amended Right-of-Way Ordinance.

City staff also reviewed other communities in the metro and surrounding neighboring communities to see how current right-of-way permit fees compare. The City permit fees tended to be an outlier on the high side of the scale. Currently the right-of-way fee is calculated by the amount of area disturbed, while most cities charge a flat fee. Staff is recommending the following revisions; $250 Excavation Fee and $200 Obstruction Fee.

**Budget Issues:**
There are no budget issues to consider.

**Strategic Priorities:**
- Safe, Secure, Stable Community

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION ESTABLISHING PERMIT FEE FOR POLE ATTACHMENT PERMIT AND REVISING RIGHT-OF-WAY PERMIT FEE SCHEDULE

WHEREAS, Section 25-1000 of the Brooklyn Center City Ordinances provides for the regulation of the use of right-of-way held in trust by the City as an asset for its citizens; and

WHEREAS, the City was required to develop additional controls to manage small cell pole attachments in order to comply with revised Minnesota State Statues; and

WHEREAS, the City Council will be considering an Ordinance Amending Section 25-1000 of the City's Code of Ordinances; and

WHEREAS, additional staff time must be allocated to the review of administration of permits for small cell pole attachments; and

WHEREAS, the City Council finds it appropriate to establish a fee for said pole attachments permit; and

WHEREAS, the City Council has adopted a schedule of fees relating to the management of the use of right-of-way, said schedule to be amended from time to time by resolution of the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that the right-of-way fee schedule is hereby amended to establish the following schedule of fees:

| Permits: | |
|---|---|
| Administration Fee | $100 per permit |
| Excavation Fee | $250 per permit |
| Obstruction Fee | $200 per permit |
| Pole Attachment Fee | $1,500 per site |
| Extension | $50 per permit |

| Penalties: | |
|---|---|
| Delay Penalty | $50/day for pavement; $25/day for boulevard/turf |

RESOLUTION NO. _____

February 26, 2018
Date

_____
Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

# City Council Agenda Item No. 6g

# COUNCIL ITEM MEMORANDUM

DATE: February 20, 2018

TO: Curt Boganey, City Manager

FROM: Doran Cote, Public Works Director

SUBJECT: Resolution Amending Policy 2.70, Street and Alley Lighting Policy

**Recommendation:**
It is recommended that the City Council consider approval of the attached resolution amending Policy 2.70, Street and Alley Lighting Policy.

**Background:**
In October, 2017, during the City Council's annual review of City policies, Mayor Willson pointed out that the current Street/Alley Lighting Policy is outdated since it refers only to "High Pressure Sodium" lighting. Current lighting technologies offer several alternatives to high pressure sodium and new and emerging lighting technologies will likely offer an abundance of additional alternatives. The table below compares several current lighting technologies available:

| **Incandescent / Halogens** | **Mercury Vapor** | **Metal Halide** | **High Pressure Sodium** | **Compact Fluorescent (CFLs)** | **Light Emitting Diodes (LEDs)** |
|---|---|---|---|---|---|
| Efficacy: 15-25 Lm/W | Efficacy: 30-60 Lm/W | Efficacy: 80-105 Lm/W | Efficacy: 70-110 Lm/W | Efficacy: 40-70 Lm/W | Efficacy: 60-140 Lm/W |
| CRI: 98-100 | CRI: 40-50 | CRI: 60-70 | CRI: 20-30 | CRI: 60-90 | CRI: 70-95 |
| Lifespan: 3,000 hours | Lifespan: 15,000 hours | Lifespan: 10,000 hours | Lifespan: 15,000 hours | Lifespan: 15,000 hours | Lifespan: 40,000 hours |
| - WATTAGE COMPARISON TABLE - | | | | | |
| 40 - 60 | 15-25 | 5-15 | 5-15 | 12-15 | 5-8 |
| 60 - 75 | 25-35 | 15-25 | 15-25 | 15-18 | 7-10 |
| 75 - 100 | 35-45 | 20-35 | 20-35 | 18-23 | 10-15 |
| 100-150 | 50-60 | 25-40 | 25-40 | 23-35 | 15-20 |
| 150-200 | 70-85 | 35-45 | 35-45 | 30-45 | 20-25 |
| 200-250 | 90-110 | 40-55 | 40-55 | 45-60 | 25-30 |

In order to bring the Street and Alley Lighting Policy up to date staff suggests amending the policy to use the term "wattage equivalent" for identifying the size of luminaries to be installed in Section 4.C of the policy. The term "wattage equivalent" is used to compare more efficient types of light bulbs to traditional incandescent bulbs. Although a watt is used to measure energy consumption, most consumers have used the amount of watts a light bulb uses to determine the brightness of an incandescent bulb. For example, an incandescent bulb that uses 100W would be brighter than an incandescent bulb that uses 40W. Since LED light bulbs consume less energy, they use fewer watts, making it difficult to determine the brightness emitted from a LED bulb solely on the number of watts used. Most LED light bulb manufacturers label the wattage

equivalent to that of an incandescent bulb to make it easier for consumers to choose the correct light bulb for their specific lighting needs.

**Budget Issues:**
There are no budget issues to consider.

**Strategic Priorities:**
- Safe, Secure, Stable Community

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION AMENDING POLICY 2.70, STREET AND ALLEY LIGHTING POLICY

WHEREAS, Policy 2.70, Street and Alley Lighting Policy references "High Pressure Sodium" lighting as the standard for size of luminaries; and

WHEREAS, current lighting technologies offer several alternatives to high pressure sodium and new and emerging lighting technologies will likely offer an abundance of additional alternatives; and

WHEREAS, the term "wattage equivalent" is used to compare more efficient types of light bulbs to traditional incandescent bulbs.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that Policy 2.70, Street and Alley Lighting Policy is hereby amended.

February 26, 2018
Date

_____
Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

## STREET/ALLEY LIGHTING AND RESIDENTIAL STOP SIGNS POLICIES

### 2.70 Street and Alley Lighting Policy

1. A street light may be installed at every intersection of two or more public streets open for traffic within the City. On any streets with a curb-to-curb width in excess of 52 feet, and where there is normally a significant amount of pedestrian traffic, two street lights may be installed at each intersection.

2. Mid-block street or alley lights may be installed in any block in which the centerline to centerline distance between cross streets is greater than 700 feet, upon receipt of a petition signed by a majority of the residents on the block, including the signatures of the residents adjacent to the specific location where such mid-block light is requested. Before the street light can be installed, property owners located adjacent to the proposed street light must dedicate utility easements to the extent necessary for connection of the proposed street light to the electrical distribution system. In such instances, additional street or alley lights may be installed so that the distance between street lights does not exceed 700 feet.

3. Additional street or alley lights will be considered for individual approval upon receipt of a petition from the property owners in the affected area, or upon recommendation from the Chief of Police or from the Director of Public Works when such petition or recommendation demonstrates a specific warrant affecting traffic safety or public safety.

4. The type of lights installed under the provisions of the above three paragraphs shall be as follows:

   A. If the electrical distribution system within the area is overhead, the light shall consist of a steel mast arm and luminaire mounted on a conventional wood pole with overhead electrical service.

   B. If the electrical distribution system within the area is underground, the light shall consist of a steel mast arm and luminaire mounted on a conventional wood pole with underground electrical service.

   C. The size of luminaries to be installed shall be as follows:

| | ~~High Pressure Sodium~~ |
|---|---|
| On collector and arterial streets | 250 watt equivalent |
| On local residential streets | 150 watt equivalent |

5. All street and alley lighting requests and installations should be coordinated through the Director of PublicWorks.

~~Reference: City Council Minutes 2/12/96; City Council Resolution No. 90-88~~

# City Council Agenda Item No. 10a

# COUNCIL ITEM MEMORANDUM

DATE: February 26, 2018

TO: Curt Boganey, City Manager

THROUGH: Michael Ericson, Interim Community Development Director

FROM: Jesse Anderson, Deputy Director of Building and Community Standards

SUBJECT: Type IV 6-Month Provisional Rental License for 6740 Grimes Pl

**Recommendation:**

It is recommended that the City Council consider **approval of the Mitigation Plan** and issuance of a Type IV 6-Month Provisional Rental License for 6740 Grimes Pl. The applicant or representative has an opportunity to present evidence regarding the submitted Mitigation Plan. If the Council chooses to **modify or disapprove the Mitigation Plan,** it is recommended that the motion be to direct staff to prepare proposed findings for disapproval for modification or disapproval of the Mitigation Plan and notify the license applicant of any pending license actions to be taken at a subsequent Council Meeting. (By ordinance, the applicant hearing is intended only to modify or approve the Mitigation Plan and is not to be used as an opportunity to modify a license type.)

**Background:**

This owner is applying for a renewal rental license. This is an 8 building, 48 unit multifamily property. The previous rental license was a Type III Rental License. This property qualifies for a Type IV Rental License based on one hundred ninety-five (195) property code violations found during the initial rental license inspection and three (3) validated police nuisance incidents for the past twelve months.

Staff from Administration, Building & Community Standards and Police Departments worked with the property owner regarding a mitigation plan, which requires Phase I, II and III of the Crime Free Housing Program, and other items included by City ordinance for a Type IV Rental License. A Mitigation Plan has been developed addressing the requirements of the ordinance and any issues specific to the property.

Therefore, staff is recommending approval of the Type IV Rental License on condition of adherence to the Mitigation Plan. Please refer to the attached copy of the Mitigation Plan for more information.

The following is a brief history of the license process actions:

| | |
|---|---|
| 10-18-2017 | The Owner, Patrick J Gaughan, applied for renewal of the rental dwelling license for 6740 Grimes Pl, a 8 building, 48 unit multifamily property. |
| 10-18-2017 | An initial rental license inspection was conducted and failed. 195 property code violations were cited, see attached rental criteria. |

# COUNCIL ITEM MEMORANDUM

| | |
|---|---|
| 11-14-2017 | The property manager, Chantelle McCurdy, called to reschedule the rental license follow up inspection citing that they were not able to complete all of the code violations. She was made aware of the rental license expiration date. |
| 11-29-2017 | A second rental inspection was conducted and failed. A $250 reinspection fee was charged to the property. |
| 11-30-2017 | The previous rental license expired. |
| 12-14-2017 | A third inspection was conducted and failed. A $50 reinspection fee was charged to the property. Total owed for reinspection fees are $300. |
| 12-18-2017 | The $250 reinspection fee was paid. |
| 01-02-2018 | A fourth inspection was conducted and all code violations were made, however, the $50 reinspection fee is still owed. |
| 01-16-2018 | The $50 reinspection fee was paid and passed the rental license inspection |
| 02-06-2018 | City records indicate 3 validated police nuisance incidents occurred in the past twelve months. |
| 02-06-2018 | A letter was sent to the owner(s) notifying of qualification for Type IV 6-Month Provisional Rental License, including additional requirements to obtain a rental license. I.e. submit mitigation plan, completion of Phases I, II, and III of Crime Free Housing Program, etc. |
| 02-14-2018 | A Mitigation Plan was submitted. |
| 02-20-2018 | The Mitigation Plan was finalized. |
| 02-20-2018 | A letter was sent to the owner notifying that the hearing before the Council will be held February 26, 2018. |

If approved, after six months, a new rental license is required. The license process will begin immediately. The new license will be based on the property code violations found during the initial renewal license inspection and the number of validated police calls for services for disorderly activities and nuisances as defined in 12-911. The terms of the mitigation plan must also be met.

**Excerpt from Chapter 12 of City Code of Ordinances:**

Section 12-913. TYPE IV PROVISIONAL LICENSES.

1. Rental properties that meet the provisional licensing criteria as described in Section 12-901 are eligible only for provisional licenses.

2. The City will provide by mail to each licensee a monthly report of any police and fire calls and incidents and applicable property Code violations as described in Section 12-901.

3. Mitigation Plan. The applicant for a provisional license must submit for Council review a mitigation plan for the license period. The mitigation plan shall describe steps proposed by the applicant to reduce the number of police and fire calls and/or the property Code issues described in Section 12-901 and 12-911 to a level that qualifies for a Type I, II, or III license. The mitigation plan may include such steps as changes in tenant screening procedures, changes in lease terms, security measures, rules and

regulations for tenant conduct, security personnel, and time frame to implement all phases of the Crime Free Housing Program.

4. Council Consideration. The application with a proposed mitigation plan will be presented to the City Council together with a recommendation by the City Manager or the Manager's designee as to the disposition thereof. After giving the applicant an opportunity to be heard and present evidence, the Council shall approve, disapprove, or approve with conditions the application and the mitigation plan. If the Council disapproves an application and mitigation plan or approves it with conditions, it shall state its reasons for so doing in writing. In evaluating a mitigation plan, the Council will consider, among other things, the facility, its management practices, the nature and seriousness of causes for police and fire incidences and/or property Code issues and the expected effectiveness of measures identified in the plan to reduce the number of police and fire incidences and/or property Code violations. In evaluating a mitigation plan submitted by an applicant already under a provisional license, the Council will also consider the effectiveness of measures identified in the applicant's previous mitigation plan and the need for different or additional measures to reduce police and fire incidences and/or property Code violations.

5. Compliance with Mitigation Plan. The licensee shall comply with the mitigation plan as approved or modified by the Council. No later than the tenth day after each calendar month, the licensee shall mail or deliver to the City Manager a written report describing all steps taken in furtherance of the mitigation plan during the preceding month.

## Rental License Category Criteria Policy – Adopted by City Council 03-08-10

### 1. Determining License Categories.

License categories are based on property code and nuisance violations noted during the initial or renewal license inspection or for a category verification inspection, along with excessive validated police service calls occurring over a year. License categories are performance based and more accurately depict the condition of the property and the City costs of service.

### 2. Fees.

Fee amounts are determined by the costs of the city to license, inspect, monitor and work with the property to ensure category conditions are met. License fees do not include reinspection fees, late fees, charges for criminal or civil enforcement actions, or other penalties.

### 3. Category Conditions.

The licensee or designated agent must meet the category conditions in the time period specified by the City. A licensee must meet all original conditions required by the License Category, even if a subsequent license category is achieved.

# COUNCIL ITEM MEMORANDUM

## 4. License Category Criteria.

### a. Property Code and Nuisance Violations.

Property code violation rates will be based on the average number of property code violations per unit identified during the licensing inspection or category verification inspection. Property code violations for purposes of determining licensing categories shall include violations of property code and nuisances as defined in Chapter 12, 19, 7 and other applicable local ordinances. The City may, upon complaints or reasonable concerns that the establishment no longer complies with the license category criteria, perform a category verification inspection to the same standards as the license renewal inspection as indicated below.

Inspections will be conducted in conjunction with established department policies. In cases where 100% of the units are not inspected, the minimum inspection standards will be established as follows:

- At least 75% of units will be inspected for properties with 15 or less units.
- At least 25% of units, to include a minimum of 12 units, will be inspected for properties with 16 or more units.

| **Property Code and Nuisance Violations Criteria** | | |
|---|---|---|
| **License Category** (Based on Property Code Only) | **Number of Units** | **Property Code Violations per Inspected Unit** |
| Type I – 3 Year | 1-2 units | 0-1 |
| | 3+ units | 0-0.75 |
| Type II – 2 Year | 1-2 units | Greater than 1 but not more than 4 |
| | 3+ units | Greater than 0.75 but not more than 1.5 |
| Type III – 1 Year | 1-2 units | Greater than 4 but not more than 8 |
| | 3+ units | Greater than 1.5 but not more than 3 |
| Type IV – 6 Months | 1-2 units | Greater than 8 |
| | 3+ units | Greater than 3 |

### b. <u>Police Service Calls.</u>

Police call rates will be based on the average number of valid police calls per unit per year. Police incidences for purposes of determining licensing categories shall include disorderly activities and nuisances as defined in Section 12-911, and events categorized as Part I crimes in the Uniform Crime Reporting System including homicide, rape, robbery, aggravated assault, burglary, theft, auto theft and arson.

Calls will not be counted for purposes of determining licensing categories where the victim and suspect are "Family or household members" as defined in the Domestic

Abuse Act, Minnesota Statutes, Section 518B.01, Subd. 2 (b) and where there is a report of "Domestic Abuse" as defined in the Domestic Abuse Act, Minnesota Statutes, Section 518B.01, Subd. 2 (a).

| **License Category** | **Number of Units** | **Validated Calls for Disorderly Conduct Service & Part I Crimes** (Calls Per Unit/Year) |
|---|---|---|
| No Category Impact | 1-2 | 0-1 |
| | 3-4 units | 0-0.25 |
| | 5 or more units | 0-0.35 |
| Decrease 1 Category | 1-2 | Greater than 1 but not more than 3 |
| | 3-4 units | Greater than 0.25 but not more than 1 |
| | 5 or more units | Greater than 0.35 but not more than 0.50 |
| Decrease 2 Categories | 1-2 | Greater than 3 |
| | 3-4 units | Greater than 1 |
| | 5 or more units | Greater than 0.50 |

**Budget Issues:**

There are no budget issues to consider.

**Strategic Priorities:**

- Safe, Secure, Stable Community

**Attachment**
- Mitigation Plan

Community Development

# Rental License Plan

***Handwritten Plans will not be accepted.***

This form can be found on the website at www.cityofbrooklyncenter.org/rental-plan or call (763) 569-3330 for an electronic version to be sent via email.

FEB 2018

☐ Action Plan—Type III (1 Year) ☒ Mitigation Plan—Type IV (6 Months)

| | | | |
|---|---|---|---|
| Property Address: | 6813 Grimes Place North<br>Brooklyn Center, MN 55429 | | |
| Owner's Name(s): | Victoria Townhomes | Local Agent: | Gaughan Companies |
| Owner's Address: | 56 East Broadway, Suite 200<br>Forest Lake, MN 55025 | Agent Address: | 56 East Broadway, Suite 200<br>Forest Lake, MN 55025 |
| Owner's Phone: | (651) 464-5700 | Agent's Phone: | (651) 255-5560 |
| Owner's Email: | | Agent's Email: | [illegible] |
| Current Expiration Date: | 11/30/17 - xt | Pending Expiration Date: | 05/31/2018 |

Based on the total number of property code violations found during the initial rental license inspection and/or validated police nuisance incidents, the above referenced property is required to submit an Action (Type III) or Mitigation Plan (Type IV). In order to ensure timely completion of the license application process, a Plan must be completed immediately and submitted for approval. The Plan includes Phase I, II, and III of the Crime Free Housing Program. It also includes measures that must be taken to ensure ongoing compliance with City Ordinances and applicable codes. A rental license Plan allows the owner and the City to review concerns and identify possible solutions to improve overall conditions of the property.

If a Plan is not submitted and/or all items are not completed within the license period, or the above property operates beyond the license expiration date, enforcement actions such as an administrative citation, formal complaint, or license review may result.

<u>Read carefully and be sure to follow instructions, otherwise your plan will not be approved.</u>



City of Brooklyn Center—Community Development www.cityofbrooklyncenter.org
6301 Shingle Creek Parkway, Brooklyn Center, MN 55430-2199 | Phone: (763) 563-3330 | TTY: 711 Fax: (763) 569-3360

6813 Grimes Place North
Brooklyn Center, MN 55429

**Sections A—*Crime Free Housing Program Requirements***

**Phase I - Read and check each box.**

[X] 1) A written lease agreement is required. The lease agreement shall include the Crime Free Housing Lease Addendum. **A copy of the lease agreement and Crime Free Housing Lease Addendum must be attached to the Plan.**

[X] 2) Agree to pursue the termination of lease agreement or eviction of tenants who violate the terms of the lease or any addendums.

[X] 3) Conduct criminal background check(s) for all new prospective tenants. If it is a current tenant a new background check is not required. Upon the City's request, documentation showing a background check was completed must be provided.

[X] 4) Attend an approved eight-hour Crime Free Housing training course. Information for approved courses can be found at www.mncpa.net. **If you have completed the course attach a copy of the Crime Free Housing Certificate to the Plan.**

[X] Crime Free Housing training is completed

[X] Crime Free Housing training is scheduled for 1/14/2009
Date

[ ] Owner or agent plans to attend training at : _____
Name of City

[X] 5) Submit Monthly Report by the 10th day of each month. **Only required for Type IV— Mitigation Plans.**

**Phase II - Read and check each box.**

[X] 1) Complete a **Security Assessment** and implement improvements required by the Brooklyn Center Police Department. To schedule a Security Assessment, call (763) 569-3344.

[X] 2) **A follow-up assessment must be completed before the license expiration date to verify the security** improvements have been implemented. To schedule a follow up inspection call (763) 569-3344.

[X] Security Assessment is completed

[ ] Security Assessment is scheduled for 8/23/2012

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Sections A—*Crime Free Housing Program Requirements (continued)*

**Phase III - A.R.M Meeting Requirement**

[X] 1) Owner or agent must attend at minimum two (2) A.R.M. meetings. **The A.R.M. meetings must be completed within the rental license period and before the License expiration date.**

[X] 2) **Registration is not required to attend,** however you must sign-in during the meeting. A.R.M. Meeting are held in January, March, May, July, September, and November on the 2nd Thursday of the month. Meetings start at 10am and end at 11am.

[X] 3) Write two months the owner or agent plans to attend.

Owner or agent will attend A.R.M. meetings scheduled for: 03/08/2018 and 05/10/2018

**The following actions are required for Multi-Family properties with four (4) or more units.**

[X] 1) Conduct resident training annually to include crime prevention techniques.

[X] 2) Conduct regular resident meetings.

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Community Development

6813 Grimes Place North
Brooklyn Center, MN 55429

**Sections B—*Long Term Capital Improvement Plan***

All components of a house will need to be replaced when it is beyond repair or its useful life. Based on condition, age, and use, an estimated replacement date will need to be provided for each listed item. Items that are broken, damaged, worn, or inoperable may require replacement sooner than scheduled.

All items must have a date under the *Estimated Replacement Date*. **Plans will not be approved if writing "unsure", "don't know", or leaving it blank.** If you are unsure of when an item will need to be replaced, you can make a prediction based on the age, use, condition, or manufacture recommendations.

| Item | Last Replaced | Condition* | Estimated Replacement Date |
|---|---|---|---|
| *Example: Water Heater* | *May 2010* | *F* | *May 2020* |

| Item | Last Replaced | Condition* | Estimated Replacement Date |
|---|---|---|---|
| Furnace | | | |
| Water Heater | | | |
| Kitchen Appliances | | | |
| Laundry Appliances | | | |
| Smoke Alarms/ Carbon Monoxide Alarms | | | |
| Exterior Items | | | |
| Paint/Siding | 2014 | F | needs paint-summer of 2018 |
| Windows | | | |
| Roof | 2013/2014 | G | |
| Garage | | | |
| Driveway | 2013 | G | |
| Fence | | | |
| Sidewalks | 2018 | R | spring/summer of 2018 |
| Shed | NA | | NA |

*Condition Abbreviations: New=N Good=G Fair=F Needs Replacement=R

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**Sections C—*Steps to Improve Management and Conditions of Property***

The items in this section have been proven to assist with property management, property image, and rental license category improvement.

**The following actions are required:**

- [x] 1) Check-in with tenants every 30-days.
- [x] 2) Drive by property to check for possible code violations.
- [x] 3) Evict tenants in violation of the lease or any addendums.
- [x] 4) Remain current on all utility fees, taxes, assessments, fines, penalties, and other financial claims/payments due to the City.
- [x] 5) Have no repeat code violations previously documented with the past year.
- [x] 6) Conduct a pre-inspection of the property prior to the rental license inspection.
- [ ] 7) Other: _____

**The following actions are optional unless required by the City.**

- [x] 1) Provide lawn/snow service.
- [x] 2) Provide garbage service.
- [ ] 3) Install security system.
- [ ] 4) Provide maintenance service plan for appliances.
  Name of service company: _____
- [ ] 5) Other: _____

The licensee must comply with the approved Plan and all applicable City Codes. A copy of the approved plan will be sent with a reminder notice to comply with the rental license requirements.



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**Sign and Verify**

I verify that all information provided is true and accurate. I understand that if I do not comply with the approved Plan, comply with all items within the license period, or operate beyond the license expiration date, enforcement actions such as citations, formal complaints, or license review may result.

Chantelle McCurdy- Property Manager

*Owner or Agent Name and Title (Please Print)*

*Owner or Agent Signature* — *Date* 02/14/18

*Additional Owner or Agent Name and Title (If Applicable, Please Print)*

*Additional Owner or Agent Signature (If Applicable)* — *Date*

***City Staff Only***

*Police Department* — *Date* 2/20/2018

*Community Development* — *Date* 2/20/18



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